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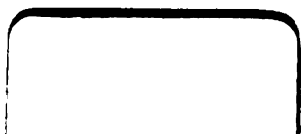
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NON - CIRCULATING



THE
Parliamentary Register;

OR,
AN IMPARTIAL REPORT

OF THE
D E B A T E S

THAT HAVE OCCURRED IN THE
TWO HOUSES OF PARLIAMENT,

IN THE COURSE OF

The Second Session of the First Parliament of the United
Kingdom of Great Britain and Ireland.

WITH OCCASIONAL
NOTES AND ILLUSTRATIONS.

By WILLIAM WOODFALL,
AND ASSISTANTS.

VOL. III.

LONDON:

PRINTED FOR JOHN STOCKDALE, PICCADILLY.

1802.

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DIVISION

TO THE PUBLIC.

AT length an end has been put to one of the most eventful Parliaments that has been convened since the Revolution. An union has been effected with Ireland, which promises the most prosperous consequences to each kingdom individually, and to the general interests, strength, and security of the British empire; and an event of corresponding importance, though of a less permanent nature, but equally dear and desirable to the whole nation, *viz.* a termination has been put to a long, expensive, and bloody war, which will afford British finances an opportunity to recover themselves, and has given repose to all Europe. The peace has been definitively settled and ratified; and when the unbounded extent of territory which France has acquired, and the enormous power of the First Consul of the French Republic, are taken into consideration, it is neither a dishonourable, nor an inadequate peace. New possessions have enriched the British Crown, and the national character and glory, which had been exalted to so high a pitch by the unexampled spirit and valour of our Admirals and Commanders, by sea
and

and land, have been preserved and secured. Political appearances hitherto, have manifested the sincere desire of the French First Consul, to maintain the general tranquillity of Europe, although the sudden and unexpected assumption of the dominion of Italy and the Isle of Elba, shewed that the thirst for aggrandisement, in the mind of the First Consul of France, has not yet been satiated. It is possible that the avarice of ambition may be carried too far, and that its own excess may prove the means of its destruction; but for the sake of the safety of this country, and the continental powers, we heartily hope that a violent eruption may not soon take place in the immense volcanic vortex of the power of the French Republic. It must at any rate, be highly flattering to Great Britain, that, owing to the firmness of their Monarch, and the magnanimity of her people, she has been able to maintain the most arduous contest in which the nation has ever been engaged, with unceasing exertion amidst the splendour of victory, and can at length sit down without her resources being exhausted, and with entire possession of her liberty, her laws, her religion, and her constitution: while almost every other power in Europe, that has taken part in the warfare, has sheathed the sword in vassalage and degradation.

The answer of the new Ministers to those who arraigned them, when they first came into office, on the ground of their being *untried men*, was manly and candid—"Judge of us by our conduct;" an answer

answer corresponding with the Scripture phrase of "by their fruits ye shall know them." This certainly was putting the matter on a fair issue, and hitherto, experience has shewn, that they risked nothing by such a reply, because their conduct has kept pace with the prudence, the exertion, and the vigilance which the new situation of France, and the Republic's dangerous possession of so great an extent of approximate coast, called for. The establishment of military and marine, which could not, with any prudence, be immediately reduced to what may fairly be termed a peace establishment, has been placed on such a footing, as to produce to the country a powerful and instantaneous economical effect, while it secures its present safety, and enables it to stand upon the defensive in case of attack, and more speedily act upon the offensive, if necessary, than ever she has been enabled to do at the conclusion of any former war.

With regard to our domestic affairs, Parliament has, during the session just concluded, been conspicuously attentive to the public interests, and the Minister has directed their attention to objects which cannot but have been highly conducive to the general satisfaction, as they tended to the relief of the public from burthens the most oppressive and odious. The repeal of the income tax, was the first great measure of this description, and a bold but well-timed measure it was, because the income tax was a tax scarcely reconcileable to British feelings, being

ing in a great degree destructive of individual independence; state necessity, however, justified its being imposed.

Various other public measures have been proposed by the Minister, and adopted by Parliament, highly useful to the Public, and tending, in a considerable degree, to lighten the heavy burthens sustained by the subject during the war. The loan and the lottery have been concluded with the monied men, on terms so extremely moderate and advantageous to the Public, that it would assume the face of a miraculous transaction, did it not occur to reflecting minds, that when stocks are above par, a trifling increase upon the interest of money, above that which the public funds yield, becomes a matter of serious and important consideration. In no one instance, in the course of the session, has the Minister done himself more honour, than in his acquiescence in the Booksellers' and Printers' Relief Bill, commonly known by the name of the Paper Duty Bill; a bill, which involves the interest of British literature, and on which depended altogether, the possibility of Great Britain being enabled to keep pace in the foreign markets with the continental printers and booksellers, in the publication even of the most valuable works, the production of British subjects, and for which very considerable sums had been paid for copy-money. The writer of this address can bear testimony to the candour and attention manifested by the CHANCELLOR

OF THE EXCHEQUER, throughout the intercourse of the joint trades with that Right Honourable Gentleman; and it would be unjust in him not to acknowledge, that the Lords of the Treasury appeared to be animated with a corresponding spirit of liberality, and to feel the cause of British literature, as a great and important national object. Happy is the writer of this address to be conscious that the paper duty bill, while it grants a considerable relief to Printers and Booksellers, effectually secures to the revenue an impenetrable guard against fraud and evasion.

* * The duty upon paper being reduced, the Publisher intends, during the next Session of Parliament, to give a larger quantity of matter in each of his numbers.

Those Noblemen and Gentlemen who favour the Reporter with a minute of their speeches, are requested to send them to Mr. STOCKDALE's, or the Reporter's house, as early as possible after they are delivered.

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WOODFALL'S

PARLIAMENTARY REPORTS.

BEING THE SECOND SESSION OF THE FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

HOUSE OF LORDS.

THURSDAY, MAY 6.

H EARD counsel again in the appeal *Hogg v. Thwaites*, the further hearing put off till next Thursday. The bills on the table were read in their stages. The election treating bill was brought up and presented by Lord Belgrave and others. Adjourned.

HOUSE OF COMMONS.

THURSDAY MAY, 6.

A conversation of considerable length took place upon the question for the second reading of the Culham Road bill. Sir William Scott supported it, and Mr. Metcalf was against it. A division took place, and the numbers were 53 against, 49 in favour of the bill. The bill was then read a second time, and after a division was ordered to be committed, the majority for the commitment being 51 against 40.

The insolvent debtor's bill being committed, on the motion of Mr. Wynne, a clause was introduced, on the motion of Mr. Burton, describing how far the provisions of this act should extend to the property of Members of both Houses of Parliament. The House resumed, the report was read, and the further consideration ordered for Tuesday.

Mr. *Vanfittart* obtained leave to bring in a bill such as is usually introduced at the close of a war, to authorise officers and privates, &c. belonging to the army, navy, marines, militia, and fencibles, to exercise trades in corporation towns.

Mr. *Bankes* brought up the report of the committee on Dr. Jenner's petition, which was ordered to lie on the table, and to be printed.

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Mr. *Alexander* brought in a bill to continue and amend the Irish sugar drawback bill, and the Irish indemnity bill. These bills were read a first, and ordered to be read a second time the next day.

The committee on the subject of the consolidation of the sinking fund, was, on the motion of Mr. *Vansittart*, postponed to Monday.

The militia pay bill and the militia subaltern bill were severally committed, and the report ordered to be received the next day.

DEFINITIVE TREATY.

Lord *Temple*, pursuant to notice, rose to move for certain papers which he conceived necessary to be laid before the House, in order to enable it to form an opinion upon that part of the definitive treaty to which they referred. His Lordship observed, that by the preliminary articles we had stipulated to bestow the island of Malta on the order of St. John of Jerusalem, and to guarantee the possession of it. He contended, therefore, that it ought to be restored in the same state as it was previous to its being taken possession of by France. He entered into a variety of arguments, inferring that the independence of Malta could not be secured by the conditions of the treaty, and that if it remained upon the footing of the proposed establishment, the French, by their intrigues with the natives, would ensure the delivery of the island to them the moment the English quitted it. He concluded by moving for an account of all territorial revenues and commercial duties received or collected in the island of Malta, from the date of the surrender of the island to his Majesty's arms, distinguishing it into annual accounts. Agreed to. He then moved for a copy of the treaty of peace concluded at Luneville between Austria and France.

Lord *Hawkebury* objected to this motion, upon the ground that no parliamentary reason could be assigned for its production. The treaty of Luneville had been concluded a year and a half ago, and this country was no party in it, neither was it alluded to in any manner in the definitive treaty. The treaty of Luneville was of public notoriety—it was in every body's hands, and the noble Lord might purchase it at the first Bookseller's shop he went into, but there were no reasons which could justify the official production of such an instrument.

Mr. *T. Grenville* contended that the motion of his noble Friend

Friend ought to be adopted. The independence of the island of Malta was connected with the interests of Europe.

Mr. Pitt said, he could not possibly conceive the treaty of Lunéville between France and Austria, being officially laid before the House, would enable any person to form a more accurate judgment with regard to the definitive treaty. It was a treaty not made in conjunction with this country, and therefore it was not one which it was necessary officially to communicate to our Government. It was in no respect a British transaction. The ground upon which it was called for was not consistent with a fair, candid, and comprehensive discussion upon the subject of the definitive treaty, nor was it calculated to enable the House to form a judgment satisfactory to themselves and the public. If there ever was an occasion in which a contrary mode to that pursued by the noble Lord and his Friends ought to be adopted, it was the present. Their object was to endeavour to hunt down, one by one, the separate stipulations of the treaty, and to take the opportunity of doing so when the subject was not fully and regularly before the House. One day the House was told, upon a mere motion for a preliminary information, that one part of the treaty was disgraceful, and the next, that another part was inadmissible, although his right honourable Friend had repeatedly said that the whole of the question would be considered together—not with reference to the treaty of Lunéville only, but to the general situation of Italy. Supposing the treaty called for was laid before the House, would the noble Lord know more than he knew already? and did he not know that such treaty had been wholly set aside by an act which every one must consider as a monument of the ambition of France? If that act, on the part of the First Consul, with respect to the Cisalpine republic, was to be looked at by this Government, it was not, under that point of view, how far the conduct of the First Consul had been justifiable, but how far such a transaction affected the whole peace. It was because he agreed with his honourable Friend (Mr. T. Grenville) on fundamental principles, and differed only with regard to the application of them, that he opposed the present motion. The question was to be considered with reference to the situation of France, and the situation of the whole continent, and by comparing it with the probability of ultimately guarding against the ambition of France, and the improbability of making a confederacy among the powers of Europe to check that ambition, or of securing a peace

more consonant to the interests of this country. Nothing could be more unfair than to take this or that article, and forestalling the merits of the general peace, when his honourable Friend must agree, that whether they should finally agree or differ, must depend on the combination of the several articles of the treaty of peace—the situation in which that treaty left Europe, and what were the hopes of altering the situation of Europe by continuing the war in the then state of difficulty in which this country had found itself. He hoped his opinion, as to the resources of this country to meet her difficulties, was too well known to make it necessary for him to repeat it. He had ever been, and still remained, of opinion, that this country had not arrived at near the period of its efforts—he would never argue that question in any other way than with reference to the best period for giving energy and activity to those efforts. The subject of the terms of the treaty was a general question, and he really thought his honourable Friends would be acting with much more propriety if they avoided making a motion for papers a vehicle for introducing a debate which was unparliamentary—he could not be surprised at his honourable friend (the Chancellor of the Exchequer) determining to avoid premature discussion.

Mr. *Windham* observed, that although the terms of the treaty of Luneville were notorious, they could not be argued upon unless the treaty itself was officially before the House; and he maintained that a knowledge of that treaty was necessary to the discussion of the definitive treaty.

The *Chancellor of the Exchequer* said, it was for the House to judge how far the language of Gentlemen who supported this motion was that of persons really seeking for information, or whether they did not rather take a course to influence the opinion of the House upon a subject not properly under discussion, and upon which the House was not now called upon to pronounce any judgment. It was most certain, that in the way of information, the treaty of Luneville could afford none, as connected with the proceedings at Lyons, to which Gentlemen seemed to think it applicable.

Mr. *Windham* explained.

Sir *William Young* spoke in favour of the motion.

Mr. *Jones* said, it was not his intention to trouble the House with a long speech on this subject, nor indeed did he think it would be fair, after the very extended, and, no doubt, extempore oration they had heard from the noble Mover of this proposition—an oration made up of a bit from Locke, a bit

bit from Lord Somers, and bits from other men of not quite so much fame (*a laugh*). He could not help remarking, that though that noble Lord disclaimed asking the judgment of the House, he took the utmost pains to bias that judgment. It seldom happened that he (Mr. Jones) and the late Chancellor of the Exchequer agreed in opinion—(*a loud laugh*)—yet such was the fact, that the observations of that right honourable Gentleman in the course of that evening were exactly the same as those which he delivered the preceding day. He hoped, therefore, that the right honourable Gentleman would forgive him for concurring with his opinion on this occasion. He condemned the persevering efforts of the Gentlemen who supported this motion to prepossess the minds of the House, notwithstanding the repeated exhortations they had received, the obvious impropriety, and the known unpopularity of such conduct. He would not say that such behaviour was *a la Jacobin*—for that was a phrase out of use—but it undoubtedly was a little *a la Porcupine*; for surely the way to promote or hunt down any measure, was to bring it forward every day

Guttâ cavat lapidem non vi.

Peace had brought comfort to the minds of the country, and it was in vain to declaim against it in that House. It seemed the purpose of the Ministers and of the French Government to preserve peace; and it was wrong in Gentlemen thus to endeavour to excite groundless jealousy—to continue the teazers of the public mind.

Dr. Laurence contended that it was perfectly correct, in moving for papers, to state the objects for which such papers were necessary. He remembered in some instances, upon motions for papers, the longest and warmest debates which had ever taken place in that House.

The motion was negatived.

Lord Temple then moved an address, &c. for a copy of the laws and statutes of the Order of Malta.

Lord Hawkebury said, that Government were not officially in possession of any such papers.

Lord Temple remarked that it was strange that Ministers should be ignorant of that constitution which, in common with other powers, they in the definitive treaty had expressly guaranteed.

Lord Hawkebury denied that he said any such thing as that Ministers were ignorant of the Maltese constitution, but that they had no official document on the subject. There were

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some changes to be made in that constitution, which would
be the subject of future discussion.

After a few words by Mr. Windham, Dr. Laurence, and
Mr. Vanittart, the motion was negatived. Adjourned.

HOUSE OF LORDS.

FRIDAY, MAY 7.

Mr. Serjeant Lens, Mr. Burroughs, and other counsel,
were heard on a writ of error on behalf of the appellant;
and counsel were also heard for the respondent, and a reply
made, after which a question was put to the Judges, who
being unanimously of opinion that the judgment of the Court
below was correct, the same was affirmed.

Twelve public bills and four private bills received the
royal assent by commission.

Previous to the order of the day being moved, Lord *Grenville* moved for an account of the quantity of mahogany and
logwood cut in the bay of Honduras since the year 1786, and
imported into this country, distinguishing the quantity each
year; and also an account of the quantity of gum seneca im-
ported from the coast of Africa during the same period, dis-
tinguishing the quantity each year. Ordered.

Lord *Minto* observed, that the House was ordered to be
summoned the next Monday for a motion, of which notice
had been given by a noble Lord (Lord Holland). He there-
fore rose to give notice he should on that day make a motion,
the object of which would be an address to his Majesty, that
he would be graciously pleased to give directions that an ac-
count be laid before that House of such communications as
should have been made relative to the institution of what
was termed the Italian Republic, under the Presidency of the
French, and also relative to the cession of the Isle of Tiba to
France. Ordered.

ISLAND OF MALTA.

The order of the day having been moved and read,
Earl *Spencer* rose, and said, he did not think it necessary to
make any apology for the motion he should conclude with,
the object of which would be an address to his Majesty, that
he would be graciously pleased to give directions that there be
laid on the table an account of the amount of the territorial re-
venues and duties upon the commerce of the island of Malta,
since the said island was surrendered to his Majesty's arms.
The Earl said he thought it wholly unnecessary to offer any
apology

apology for this motion, because it must be obvious to all their Lordships that the island of Malta was a main article of negociation in the lately decided treaty of peace. In the preliminaries, according to the 4th article, it was stipulated that "the island of Malta, with its dependencies, shall be evacuated by the troops of his Britannic Majesty, and restored to the order of St. John of Jerusalem; for the purpose of rendering the island completely independent of either of the two contracting parties, it shall be placed under the guarantee and protection of a third power." Let their Lordships look to the definitive treaty to see how far this preliminary was fulfilled. The first stipulation of the tenth article of the definitive treaty regulated what langues should continue to subsist after the exchange of the ratifications of the treaty, and invites the Knights of the Order to return to Malta as soon as the exchange shall have taken place. That they shall form a general chapter, and proceed to the election of a Grand Master from amongst the natives, and those nations which preserve langues. His Lordship observed that by a subsequent stipulation there should henceforth be no English or French langue. The English langue had long discontinued to exist, and nominally by this stipulation the French langue was to be abolished; but would it in fact and effect be abolished? The remaining langues would be the three of Provence, Auxerre, and another district in Lombardy. From the state of dependence on France in which those places stood, they were to all intents and purposes French. Spain had two langues, and who would say that the French could not influence and even dictate to Spain in this as in every other respect? The Italian States had another langue; could it be denied that the relationship which the Italian Republic and the Chief Consul, as President of that Republic, stood in to each other, placed it beyond a doubt that the Italian Republic would be under the dominion of France. The remaining langue was the German one, and he did not mean to say that the German langue might not act independently, but what chance was there of securing the island of Malta in a state of independence under such circumstances. It was in fact neither more nor less than leaving the island of Malta in the power of France. His Lordship next spoke to the third stipulation under the tenth article of the definitive treaty, viz. the establishment of a Maltese langue, to be supported out of the land revenues and commercial duties of the island, who were to have dignities and

and appointments, and an appropriate Auberge, and that no proofs of nobility should be necessary for the admission of Knights into the said langue. Upon this the Earl reasoned at considerable length, and after contending that a langue of non-nobles would not assort well with the noble Knights of the ancient langues, complained of it as a revolutionary organisation of a new constitution of government for the island of Malta, without not only the consent, but without even the having consulted the wishes, or taken the opinion of the Maltese themselves. He also complained of the inaccuracy of the English version of that part of the third stipulation of the tenth article of the treaty. He did not believe that *des habitants des isles de Malte*, &c. was rightly translated, when it was stated to mean the "native inhabitants of Malta, &c. &c." His Lordship considered the fourth stipulation, for the evacuation of the island and its dependencies by his Britannic Majesty, within three months after the exchange of the ratifications, as exposing it to the immediate falling into the hands of the French, and said it was not at all probable that the King of Naples should furnish two thousand men to serve as a garrison for the several fortresses on the island, when no resources were provided for their pay, clothing, and subsistence; but even supposing that the two thousand Neapolitans did garrison the fortresses of the island, what sort of resistance could such a small number of Italian troops make to the force of the French Republic, or oppose to the armed hordes that France might pour into the island? His Lordship passed great encomiums on the bravery of Sir Alexander Ball and another British officer, on taking possession of the island, and while they continued to hold it, declaring that they had conciliated the affections of the Maltese towards the British so much, that they would have been much better pleased to have remained under the protection of his Majesty, than under that of any other power. In fact, his Lordship said, Malta ought to have been secured to Great Britain, on account of the various important interests of the British Empire, upon which it bore in a material degree. Our Indian Empire was greatly exposed, as well as our Levant trade, and all our connections by the sea of the Mediterranean, by Malta's being suffered to remain at the command of France, as every petty quarrel or trifling difference between the Republic and the King of Naples might be used as a pretext for the French to send a force against the island, which, from their proximity of situation, they could do much sooner than we could equip and

and dispatch a fleet with troops on board to its succour and defence, (and no fleet was equal to its blockade): but the whole of the article in the definitive treaty, and all its stipulations, were utterly impracticable. Where were the resources to come from that were to defray the great and additional expence of supporting the new Maltese Langue of non nobles, of erecting and providing an Auberge for them, for paying the two thousand Neapolitan troops, keeping the fortresses in repair, and all the other charges of the island? The amount of the produce of the territorial revenues, as far as he could learn, was somewhat about thirty thousand pounds, and the amount of the duties might be about ten thousand more, although he had no account of the customs. The gross amount of the two was scarcely equal to the charge of the present existing demands occasioned by the constitution of the Government as it had hitherto stood; where then was the surplus that would be necessary to be found? The guarantee of the six powers mentioned in the treaty, is a complete illusion. If Russia refused to take the island under her immediate protection, it is difficult to see what interest she can have in acting as a guarantee. Austria may have some little interest, but in her present situation an efficient interposition on her part is not to be expected; and Prussia can have no interest at all in the arrangement. Thus it appears, that the only remaining guarantees to whom it is of any importance are France and Spain, whose interest is in direct opposition to that of this country; who will find various pretences under this treaty to throw troops into it; and who have every thing in their favour from local position to take advantage of such pretence. His Lordship reasoned on all these points at very considerable length, and, after thanking the House for their indulgent attention, concluded by moving, as he had intimated in the beginning of his speech, for an account of the amount of the territorial revenues and commercial duties since the surrender of the island to his Majesty's arms.

Lord Hobart said he did not rise to object to the motion, but as a day was set apart for the discussion of the whole of the definitive treaty, he thought it ought to be considered altogether, and not piecemeal. He therefore would not attempt to follow the noble Earl through his speech. He would barely notice that as the noble Lord had admitted that Malta was impregnable by blockade, we should not have suc-

ceeded if the Maltese had not themselves paved the way for our obtaining possession of the island, and therefore it could not be impolitic to pay a marked attention to the native inhabitants, by creating a Maltese langue. That as we won the island by force of arms, we had an indisputable right to arrange its government, and that the noble Earl was mistaken in supposing that the King of Naples would not send the 2,000 men to garrison the fortresses of the island, as well as that he would not pay them. He would certainly do both. As to the additional expence which would be necessary to carry the article and its stipulations into effect, Malta was hereafter to be encouraged to pursue commerce, and it was most advantageously situated for commercial purposes, and thence the revenue would increase beyond the power of correct calculation. His Lordship declared he had said more than he meant to do when he rose, as he should reserve himself, as to the treaty in general, till Wednesday next.

The Earl of *Carlisle* said the complaining of noble Lords taking up particular points of the treaty to discuss previous to its general discussion as a whole, was a fallacious mode of reasoning, as no noble Lord, who had hitherto come forward with a motion respecting any part of it, had called upon the House to decide upon that particular point: they had merely called for papers, and information necessary to enable them to discuss the subject more completely, when it came to be considered altogether.

Lord *Grenville* said his noble Friend had anticipated him in a great measure; that he concurred entirely in opinion with what he had said, and also with his noble Friend, the noble Earl near him. His Lordship added a few remarks on the necessity of our having retained Malta in our hands, when the Emperor of Russia rejected our offer of it: as the arrangement of it stood, it would be hereafter completely in the hands of France. He was particularly anxious for the required information in the present instance, as it would shew that the present revenues of the island were wholly inadequate to the support of the proposed arrangements; and the noble Lord had omitted to tell the House how the new system would be more favourable to trade than the former.

Lord *Holland* said, he in general agreed in opinion with most of what had fallen from the two noble Lords below him (*Grenville* and *Spencer*), but that he must object to part of the noble Earl's argument, because it ran two ways. His

Lordship

MAY 7.]

THE LATE MINISTERS.

11

Lordship stated the reasoning to which he objected, and having shewn that it was inconsistent with the other parts of the noble Earl's speech, he observed that there were so many blots in the definitive treaty, that it was not fair to charge it with a blot where there was not any. For his part, the island of Malta did not appear to him half as important an island to be retained by this country, as several others in the Mediterranean—the island of Elba, for instance, or any island that would give us access to an Italian port.

The question was agreed to. Adjourned.

HOUSE OF COMMONS.

FRIDAY, MAY 7.

THE LATE MINISTERS.

Mr. Nicholls rose to make his promised motion for an address to his Majesty, thanking him for having removed the right honourable William Pitt from his councils. He had been induced particularly to select this right honourable Gentleman, not merely because he formed the most prominent character in the late administration, but because circumstances applied to him exclusive of the rest of his colleagues in office. In laying before the House the grounds of the motion with which he meant to conclude, he begged leave first of all to direct their attention to the object of the war into which the right honourable Gentleman had plunged this country. The principal object of the contest was to protect Holland, and to deliver the Austrian Low Countries from the arms of France. The Austrian Low Countries now formed an integral part of the French empire, and Holland was completely subdued. He was intitled to use this expression equally on the principles of those who approved the peace now happily concluded, or of those by whom it was condemned. Those who approved of the peace attached great importance to the cession of the island of Ceylon, because it was taken out of the hands of France. Those, on the other hand, who condemned the peace, censured the cession of the Cape to Holland, on the ground that by the cession, the power and influence of France was aggrandized. Another object of the war was, to obtain indemnity for the past, and security for the future, by tearing from France some of her provinces, and thus augmenting our own power while that of an ancient rival was curtailed. But how had we succeeded in the attainment of this object? So far were

we from diminishing French power, that it was incalculably and alarmingly increased. So far from wresting from her any of her territories, were we, that she had extended her conquests far beyond even the dreams of ambition. When the situation of France was looked at, it was impossible not to perceive that she had been enabled to dictate to us the terms of peace. To themselves the *uti possidetis*, and to us the *status quo ante bellum*, asserted with inflexible obstinacy, sufficiently attested the attitude in which she had felt herself entitled to treat. As a proof how completely we had failed in this object of the war, he only begged leave to ask whether a French Minister would ever at any former period of our history been allowed to hold such language? A third object of the war was to destroy the effect of French principles, and in this too the right honourable gentleman had totally failed. With regard to the object of the original promoters of the French revolution, perhaps he differed very widely from those who had supported the war. For the sake of argument, at present, he would take it for granted that they were, as Mr. Burke and his supporters pretended, to destroy the constituted authorities of France. Entertaining this opinion, they thought that we were deeply interested in preventing a successful insurrection for such a purpose in the very heart of Europe, and that a war ought to be undertaken to counteract such dangerous designs. They strengthened the considerations of this necessity by adding that, among a certain proportion of the people of this country, there existed a similar spirit of insubordination, and that nothing but resorting to force could prevent every constituted authority in Europe from being overthrown. Had the war then re-established the constituted authorities in France; had it prevented that example of successful insurrection which the war was undertaken to prevent? The very opposite effect had been produced. In this view only could the war have been beneficial, and in this view had it been wholly unsuccessful. An example of successful insurrection had been given to the people of this country, and if there ever existed any spirit of insubordination among them, the distress which the war had entailed on them had surely not tended to remove the grounds of their discontent. But if it was said that jacobin principles were now at an end in this country, he would answer, that the existence of such principles among the people of England was a calumny of the grossest kind. Discontents to a great degree there might exist, but that the constituted authorities were ever odious to any numerous proportion of the people was an assertion which could not be established

established by facts. Trials for treason had taken place, individuals had been arrested under the suspension of the Habeas Corpus act, all the activity of Government had been exerted to prove that such a spirit was prevalent, and all these efforts had been ineffectual in proving that the mass of the people had ever thought of renouncing their allegiance, their duty to their country. Thus had the right honourable Gentleman, for the purpose of warding off distant, and perhaps imaginary dangers, plunged the country into a contest for the destruction of French principles, and the diminution of French power: and who was there bold enough to say, that at the conclusion of this contest the power of France was not augmented to a degree which could not be contemplated without anxiety and alarm? When he said this he did not mean to blame the peace. It was a peace for which he was sincerely grateful; it was a peace which the circumstances of the country rendered necessary. But what was it that rendered such a peace necessary? It was the war. It was the war which compelled us to submit to the high language of France in concluding peace with us; it was the war which had entailed on us consequences which might be felt and lamented for ages. So much for the success with which the right hon. Gentleman had conducted the war. When he considered the circumstances which distinguished the conduct of it he was equally at loss to discover those proofs of wisdom which ought to characterise the Minister of a great country. Before he adverted particularly to a few of these circumstances, he begged leave to mention three most important political maxims which, in the conduct of the war, the late Minister had grossly violated. They were the maxims of a Statesman (Machiavel) who was not generally understood to entertain sentiments the most favourable to liberty, but who would not rashly be accused of want of ability to form an accurate notion of general policy. In the first of these maxims this writer warns Ministers never to trust to the representations of Emigrants, because they were in general either deceived themselves, or their interest was so materially involved they could not fail to deceive others. The right honourable Gentleman had wholly forgotten this maxim, and in judging of the state of France, had been chiefly guided by the representations of the French nobility who had fled from France and obtained an asylum in this peaceful land. The right honourable Gentleman ought not only to have known how fallacious such information was on the general principles of human nature, but he ought to have recollected how

grossly

grossly his predecessors had, only a short time before, been deceived by the emigrants of America. The next maxim given by the writer to whom he had alluded was, never to rely on the prospect of the destruction of the finances of an enemy; and he mentioned a variety of instances wherein calculations founded on this ground were disappointed. But this had been the grand source of exultation during the late war. The whole question was represented as a question of finance, and we had been told, with pride and confidence, that France, exhausted in her finances, would be compelled to relinquish the contest. How truly these calculations were formed, the history of the war best demonstrated. From these points the honourable Member went on to animadvert on the ambiguity of the conduct of this country as materially contributing to the bad success of the war. Such was the policy of the right honourable Gentleman, that it was originally impossible to determine whether we fought as the ally of the King of France, or for the purposes of separate conquest. It was not till the King of Prussia saw that we were leagued with Austria, in a design to weaken the power, and to parcel out the dominions of France, that he withdrew from our alliance, and in doing so he only acted in conformity to the plainest dictates of interest. By the same policy we lost the co-operation and confidence of the most respectable part of the emigrants. It was not till they saw the surrender of Valenciennes, and of Toulon, that they became disgusted with services which had in view, not the restoration of the Bourbons to their throne, and of themselves to their possessions and their honours, but of Austrian conquest, or British ambition. He condemned pointedly the system of subsidizing foreign troops in the extent practised by the late Ministers. There was no example of a subsidy equal to what was negotiated for Austria in 1796, under the form of what was then denominated a loan, but of what now turned out to be a subsidy. He next took a review of the expeditions of the war, all of which he contended had completely been disconcerted. He was particularly severe on the expedition to St. Domingo. He would not pretend to say whether the object of this expedition was to take possession of the island for the French King, with a view to conquest, or with the design of favouring the establishment of the Black Government. If the first had been our object, it might have been easily accomplished, since, at the time that the expedition was formed, the French were ready to throw them-

themselves under our protection. If, on the contrary, conquest was intended, it was impossible not to condemn, in the most pointed terms, the provision made for gaining this end. The whole number of men originally sent did not exceed 750—a force destined to conquer the extensive and populous island of St. Domingo! Yet, in endeavouring to effect this conquest, no less than 25,000 of our best troops had found a grave, and millions of our treasures had been exhausted. Referring to the subject of Egypt, he condemned, in the strongest terms, the impolicy of Ministers, in the orders they sent out to violate that wise Convention, by which it would have been evacuated without the loss of one life, or the expenditure of one guinea. In allusion to the rejection of the offers of Bonaparte, which came next in order, he called on any Gentleman to get up in his place, and assert that this was not a subject of the most sincere regret. The right honourable Gentleman, when he rejected the First Consul's pacific offer, ought to have known that Bonaparte was one of the chiefs of the Brissotine party, who had always been desirous of peace with this country. In defiance of this knowledge, however, he had resisted every step towards an amicable arrangement in terms of the greatest haughtiness, and at the end of three years we were compelled to make peace on terms much worse than those we had then a right to expect. The manner in which the right honourable Gentleman had excited Austria, "as a spectator," to a renewal of the war, was equally deserving of censure. It was his duty to have ascertained the real situation and feelings of the Austrian army, before, by his pernicious counsels, he had led to a renewal of the war only to involve the Austrian monarchy in new disasters. At that time there was not an Austrian officer or soldier who was not disgusted with the service, who was not convinced that they were by no means in a situation to maintain a successful contest with the French troops. What was the consequence?—In a short time Austria was subdued; and the terms which the Emperor then obtained afforded a proof of the moderation of the French Government, since, at the time when the armistice was concluded, the French troops might have marched, without difficulty, to take possession of Vienna. The quarrel with the northern powers was the next point to which the honourable Member directed his attention, and argued, that the dispute owed its origin to our having refused to give up Malta to the Emperor of Russia.

If Malta had been put into the possession of Russia, the dispute would never have been heard of. Now the question came to be, had we done better in arranging the situation of Malta by the definitive treaty?—Would any man pretend to say, that Malta could have been wrested by France from Russia with greater ease than from Naples? Was any one prepared to assert that it was not, in all points, highly desirable that Russia should have a naval station in the Mediterranean, as the ally of England? He begged the House then to consider, that if Russia went to war with us it was because we refused to cede Malta, and that though the dispute with the northern powers was now settled, we had given up that point by which, in future wars, these powers might be enabled to supply France with naval stores. On a view of the objects of the war, then, it appeared that, in gaining these objects, the right honourable Gentleman had failed; and that, in his conduct of the war, no proofs of wisdom were to be discovered. Rejoicing, as he did, in the peace, he rejoiced in it only because the war had made it necessary. No man could vindicate such a peace as had been concluded, but from a contemplation of the state to which the war had reduced the country. He did not mean to say that the efforts of the country were exhausted, but he contended that no efforts which we could have made would have enabled us to make peace on better terms. (A cry of *hear! hear!*) To be able to form an adequate idea of the effects of the war, he requested Gentlemen to consider the increase of poor rates, and to examine into the situation of our poor houses. But whatever the situation of this country was, the general situation of Europe was such that France was unable to dictate the terms of peace. In his mind, the whole merit of the peace was, that it was a relinquishment of the war, which had been so pregnant with disasters. Such was the light in which he viewed the right honourable Gentleman as a war Minister; but in what light did he appear as the Minister of peace? In this light his conduct appeared to him equally liable to censure. The right honourable Gentleman had, indeed, discovered a spirit of speculation, but it was a spirit of speculation, such as Law, the Mississippi projector, possessed. To form some judgment of him, as a peace Minister, there were four grand measures of his administration to be considered: The income tax—the measure for the redemption of the land tax—the system of paper money—and the addition of two hundred and fifty-eight millions to the national

national debt. On each of these topics he insisted at some length, and argued, that in none of them was there any thing from which the public had derived advantage. By these measures the funds might be kept up, and the capitalists might be gratified, but the tradesman was reduced to wretchedness. Every article of consumption was enhanced in price, and thousands had perished in the poor houses (A cry of *no! no!*) He had not made this assertion without sufficient examination, and if Gentlemen had doubts on the subject; it was only necessary to appoint a committee to enquire into the fact. He was confident that, from such a report, it would be seen that, for the two last years, the deaths in these houses had increased beyond the usual proportion in a most alarming degree. He went on from these topics to advert to the right honourable Gentleman's use of corruption in the promotion of his measures, and the support of his power. The arts of corruption employed by Sir Robert Walpole, compared with those of the right honourable Gentleman, were trifling. He had introduced means of corruption which were unknown to any former Minister. He alluded, in illustration of this idea, to the number of peerages granted, and pensions confirmed during his administration. If a fair inquiry into this subject were gone into, he was confident that he would be found to have been a Minister who had supported himself by corruption, both in and out of doors, to a degree much greater than any Minister that ever preceded him. He adverted to the subject of Catholic emancipation, as the alledged ground of his resignation. To hold out an idea to the Irish Catholics on his retiring from office, that they must look up to him as their patron and supporter, he considered to be a high misdemeanour. The civil list debt furnished a topic of severe animadversion. To contract the debt at all was a crime of no small magnitude; but in the manner in which it was contracted, there was something still more objectionable. Sums of money had been advanced in the way of loans to the King's sons, for the purpose, no doubt, of rendering them dependant on the Minister. If any of the King's sons required assistance, beyond what the King could give out of his privy purse, the regular and constitutional mode certainly was to apply to that House, and he was confident that the House would be disposed to grant the desired relief, without narrowly canvassing the circumstances which rendered it necessary. He insisted with some warmth on this

application of the money of the civil list as highly dangerous, and took occasion to reprobate strongly the manner in which the claims of the Heir Apparent had at all times been resisted during the right honourable Gentleman's administration. He conjured the House to watch with a jealous eye over the designs of an individual who seemed to aim at an influence, by which the throne itself might be controuled. After illustrating this by some parallel cases in the history of France, and other countries, he concluded with his motion, which was, "That an humble address be presented to his Majesty, expressive of the thanks of the House to his Majesty for having removed the right honourable William Pitt from his councils."

The motion was seconded by Mr. Jones.

Lord *Belgrave* said, that he rose to make a motion, by way of amendment to the motion of the honourable Gentleman who had just sat down. He could hardly think the honourable Gentleman meant seriously to press his motion, as it was notorious that his right honourable Friend had resigned his situation, and had not been dismissed his Majesty's service. The consequence of agreeing to this vote, therefore, would be, that the House would address the King to thank him for doing what he had not done. The honourable Gentleman had dwelt upon a subject very much in detail, which made no part of the present subject, the subject of peace; it was a distinct question, and ought to be argued on separate grounds, at a separate time. He said, that he came forward with much readiness, as he could not help anticipating a very general and cordial support to the motion which he should have the honour to conclude with. He entertained that expectation, both from the disposition apparent in the House on a former evening, when the subject was first started, and from the nature of the motion itself, which embraced a general vote of approbation of the leading measures of his Majesty's councils during the late war, which had been frequently the subject of commendation in that House, and recorded in the journals, in terms very honourable and flattering, in various addresses to the Throne. But though the conduct of Government had been several times applauded in detail, there was this novelty in the motion he was about to propose, and which he wished the House fairly to weigh and consider, that Gentlemen would be now called upon to bring into view the general merits and demerits of Government, and upon conscientious revision of their whole conduct

duct during the war, to decide either in favour of, or against the motion he intended to submit to their consideration; and he was far from wishing any Gentleman to vote with him who did not feel entirely satisfied that their merits very much outweighed their defects. He thought, indeed, that, considering, with the smallest portion of candour, the various difficulties of the public service, and particularly the unprecedented difficulties of the late contest, and the liability of man to err, it would not be conceived very extraordinary, if the late Government should occasionally have betrayed, in their conduct, the imperfection of human nature. In the motion then he intended to propose to the House, he included those ministers who had been principally concerned in conducting the affairs of the nation in the arduous and perilous contest in which it had been engaged. But he meant certainly to point both the vote and his remarks chiefly to his Majesty's late Chancellor of the Exchequer, who had been, for so many years, the leading Member of his Majesty's councils, and to whom the country was, above all others, indebted for the distinguished character at present it held in the estimation of mankind. The other Ministers who held high responsible situations, would partake in the honour of the vote in proportion to their merits, or conscientious discharge of their duty, and, undoubtedly, in proportion to the opinion entertained by the House and the public, of their respective services and zeal in their cause. He had now, he said, explained the general nature of the motion he had to propose, and should proceed to touch upon some few of the leading circumstances of the late war, and the conduct of the Government. He was unwilling to go into details, as they would necessarily branch out into such a variety of points, that he knew not where they would terminate; and he should therefore consume such an unreasonable portion of the time of the House, even if his strength and recollection should be sufficient to carry him through; and as the events he should have to enumerate, were of a date so recent, and fresh in every Gentleman's memory, he should therefore confine himself as much as possible to general observations. In the first place, then, he wished principally to hold up to the contemplation of the House, the striking contrast between the situation of the country at that moment, and at the end of the year 1792—he said at that moment, because, although, last year, a new Administration had succeeded to the management of public affairs, yet, in the conduct of

the war, they followed, in every respect, (much to their honour, in his opinion) the system adopted by their predecessors in office, and they would therefore partake of the praise, but without, in the least degree, detracting from their merits. It must be allowed, he said, that the great struggle for their security, the main shock of the French revolution had been successfully resisted, when the late Ministry retired from office. Comparing then the present period with that of the end of the year 1792, let him ask the House, whether they did not feel themselves a little more secure now, than they did at that time? Whether they did not feel themselves very much in the situation of mariners, who had just escaped the dangers of the most tremendous storm they had ever encountered, and who looked back upon the scarcely subsiding waves with emotions of calm delight, and unspeakable satisfaction? Every man, he said, not lost to all virtuous and honourable feeling, or whose intellects were not unusually benumbed, must have felt at the end of the year 1792, and at other periods of the war, no common anxiety for the fate of his King and country, his family, his friends, and his own safety; if, indeed, self, at such a moment of general alarm, could have intruded upon his attention. Let them now turn their eyes on their present situation, on the vessel of the State having now weathered the storm, and riding in triumph and security in her native port; and then let him ask the House, whether some credit was not due to those that had steered her uninjured through a sea so threatening, so awful, and so tempestuous? As he had already said, he was unwilling to go into details for the reasons he had stated, but he could not avoid shortly presenting to the view of the House a few of the most prominent features of the dangers they had escaped by the fortitude and exertions of the late Administration. They had had not only France to contend with, but French principles, supported by arms. They had not only a foreign enemy, but a domestic one to alarm them and increase their difficulties—While they had recourse only to legitimate means of carrying on the contest; France, in a state of unbridled licentiousness, had recourse to depredation, confiscation, and blood, to recruit her continually exhausted finances. In the early part of her revolution too, the deformity of her principles was something veiled by appearances so specious and alluring, that they for a while infused their fatal poisons even here, and the disaffected availed
them.

themselves of the delusion to spread their snares, and weave their treasons in England, Scotland, and Ireland, and especially the latter country, where the materials to work upon were found more combustible, and better suited to their diabolical designs. Without dwelling, however, he said, on this part of the subject any longer, he should only add his firm conviction, that had it not been for the vigilance and firmness of his Majesty's Government, at the time the life of our beloved Monarch was so basely and traitorously endangered, dreadful would have been the confusion, desolation, and bloodshed, for a season, at least, in this metropolis. The next point he wished to advert to was their great success in the contest in different parts of the world; certainly success was no positive proof of the wisdom and energy of those who conducted the public affairs of a nation; at the same time it must be admitted to be a presumptive proof at least, for disaster was generally contended to be a presumptive proof of demerit. Without enumerating their conquests, the House would be aware that, in the course of the late war, their conquests had been many, their losses none. The House had repeated opportunities of contemplating, with admiration, the immortal exploits of their navy, and their army too had excited their genuine applause and eternal gratitude, and he was surprised the honourable Gentleman spoke so slightly of those exploits; he begged leave then to ask whether some merit was not attributable to those who superintended and directed the public service, preparatory to such splendid achievements? He knew that it was the publicly declared opinion of one of the greatest heroes of this or any other country, that a large share of the merit due to the ever-memorable victory of the Nile was attributable to those who originated and planned that expedition. If they proceeded, and turned their eyes to India, their conquests in that distant quarter of the globe had established their reputation on a basis so firm, that the country need not now be apprehensive of the security of their possessions there, under the direction of hands less able, and understandings less enlightened and comprehensive than those of the present Governor-General, who had acted a master-part indeed in the late splendid transactions in that part of the British Empire. If he should, however, be asked how he connected their conquests in India with the late Government, he should, in his turn, ask whether the Governor-General's instructions did not come from hence? and if he should be asked, how he connected

connected Lord Wellesley more especially with the late Chancellor of the Exchequer, he would say, was he not brought up in the school of his right honourable Friend?—Did not the House see him, within a very few years, strenuously and most ably contending with him here for the maintenance of the honour, dignity, and character of the nation in the great contest in which they had been engaged? He said he ought not, in that place, to omit to give the merit due to the late Government for the promptitude and decision with which they called forth and organized the manly spirit and patriotic zeal of the nation, manifested in all ranks of people, in the alacrity with which they voluntarily stepped forth to defend the country against the threatened invasion of the enemy. This ardour was well worthy those, whose brave countrymen were bleeding and triumphing abroad. He next came to speak of the Union with Ireland, which was too remarkable a feature of the late Government to be easily overlooked. An Union which originated in an attempt, on the part of France, to disunite us for ever, but which was not only abortive, but ended in an Union the most entire, and, he trusted, indissoluble. The Union with Scotland had been the theme of panegyric for a century past—that with Ireland, he hoped, would continue to be so, as long as the world endured; for so long did he hope the United Kingdom of Great Britain and Ireland would continue to flourish with augmented strength, prosperity, and happiness! Already the good effects of the Union began to show themselves in Ireland, by diminished irritation and augmented confidence and industry. Here too, at least in that House, he might be allowed to speak favourably of its effects, for he could confidently appeal to the Speaker and the House, whether more propriety of conduct, urbanity, and good sense had been ever witnessed, than in the persons of the Irish Gentlemen? He congratulated the House and the country upon it; and although the Union was as yet in its blossom only, he thought, without assuming too much of the prophetic character, he might fairly anticipate its fruit ripening, and that speedily, into richness and abundance. And to what influence and persevering resolution were they chiefly to attribute the Union, but that of his right honourable Friend, the late Chancellor of the Exchequer? He imagined it too obvious to be necessary to go into any detail to prove the increase of the commerce and credit of the nation under the fostering and energetic protection and support

support of the late Government, or to specify the many wise laws introduced by them into the House for the security and welfare of the people. He was aware that he had omitted topics that might have been brought forward in just eulogium of the late Ministry, but he could not forget one, which the honourable Gentleman should remember, and on which the great reputation of the late Chancellor of the Exchequer might be considered principally to rest; he meant his unrivalled talents in managing the finance of the country. By his sinking-fund system, he had wisely contrived to uphold the public credit, and to ease the burdens of posterity; but, what was worthy of peculiar admiration and exclusive applause, was, that in the midst of a contest of unexampled difficulty, at a time when the enemy, regardless of justice or character, was revelling in confiscation and plunder to supply their gigantic expenditure, his right honourable Friend had the resolution (contrary to the example of his predecessors), to leave the sinking fund, now grown considerable, untouched, and to have recourse only to legitimate sources of revenue to supply the necessary means for carrying on the contest with vigour; but he did more, for trusting to the firmness and disinterested magnanimity of the country, even at the time when nearly two millions of money had been voluntarily contributed to the support of the war, he proposed the tax on income, as a war impost, which was readily adopted, though it fell, at the moment, with peculiar weight on the country. This tax, excellent in theory, though somewhat defective in operation, yet admirably calculated, and found fully adequate to meet the trying exigency of the time, was a most powerful weapon in the hands of his right honourable Friend to fight the battle of the revolution, of the public creditor, and of the country. In fine, he might be truly said to have established a system of finance, by means of a rigid adherence to the integrity of the sinking fund, in times even of great peril, which might be called the Magna Charta of public credit, which no future Minister would venture to depart from, and which, whilst it attracted the admiration of this and other countries, was well calculated to preserve the country wealthy, prosperous, and independent. Lord Belgrave said he now began to feel he was going to tread upon somewhat more delicate ground than he had hitherto done, as he was going to speak of the public indeed, but personal character of his right honourable friend; but though the ground might be delicate, he should

should tread fearlessly, considering the person he had to speak of. For seventeen years, full of trying events, had he been at the head of his Majesty's councils, and though seventeen years, in the countless periods of eternity, might appear inconsiderable in the life of man, the period was not short—for he said, if it had (unhappily for the country) pleased God to have removed him from this world, at that awful moment when it is of so much importance to any man to be able to reflect that he has spent his life in active virtue, and not in idleness and dissipation, he would ask the House, whether they did not think his right honourable Friend might, with truth, have declared, “for seventeen years I have served my country with unfulfilled integrity, with entire personal disinterestedness, with the most laborious diligence, with perfect devotion to its interests, and with constant zeal and anxiety for its happiness and prosperity.” That his talents were transcendent, no one would dispute; but while he was delivering this well-merited eulogium on his right honourable Friend, so grateful for him to utter, and the House to hear, he was not so dazzled by the splendour of his character, as not to think that he perceived some political defects; for where, either in politics or morals, was perfection to be found on earth? But these defects, far from eclipsing his fame, were only like passing and transient clouds, that by contrast rather tended to heighten than destroy the lustre of this great political luminary. If any one should accuse him of speaking the language of partiality, he should deny the charge, as he felt conscious of speaking only the truth, and he felt assured that the House would attest it. He had read of States, as well as of individuals, to whom great and eminent services had been rendered, and yet, such was the ingratitude of the human heart, that those services were, ere long, either slighted or forgotten; such, however, he would never believe to be the characteristic of a British House of Commons. He said, he should only add to what he had said on this interesting occasion, that although undoubtedly, if the House should agree to the resolution he was about to propose, it would be the means of conferring a lasting honour on his right honourable Friend, and his chief colleagues in office, as well as, in fact, on the present Government, yet he thought that their services were so very meritorious, that the House would be doing little more than discharging a debt of gratitude and justice.

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He therefore moved,

"That it be resolved, That it is the opinion of this House, that by the wisdom, energy, and firmness of his Majesty's councils during the late arduous contest, supported by the unparalleled exertions of our fleets and armies, and by the magnanimity and fortitude of the people, the honour of this country has been upheld, its strength united and consolidated, its credit and commerce maintained and extended, and our invaluable constitution preserved against the attacks of foreign and domestic enemies."

Those Gentlemen, who thought with him, that by the wisdom and firmness of his Majesty's councils, the honour of this country has been upheld, its strength united and consolidated, its credit and commerce maintained and extended, and our invaluable constitution preserved against the attacks of foreign and domestic enemies, would vote with him; while those who thought that the honour of the country had been tarnished, that its strength had been impaired, its credit and commerce diminished, and our invaluable constitution abandoned to the violence of foreign and domestic enemies would vote against the motion he had proposed; on such a motion, however, he called for the opinion of the House, and in support of which he anticipated a very general and cordial concurrence.

Mr. *S. Thornton* seconded Lord Belgrave's motion, saying, that after what had passed, he thought it a tribute of gratitude justly due from the House to the late administration. He was one that had uniformly held the opinion, that this country did not seek the war, but that it was forced upon us by the ambition and restless interfering spirit of the enemy. In the eventful contest we had witnessed it could not but be expected that disasters must occur. They had, however, been met with a manly spirit, as had the commercial difficulties of the year 1793, which were counteracted with a penetration, sagacity, and firmness that was unexampled. It had fallen often to his lot to witness the spirit and talents of the right honourable Gentleman against whom the original motion of the honourable Gentleman opposite him was pointed, and he could say with the greatest truth, that more integrity, cool deliberate penetration, and promptness of execution, he had never seen or read of in any man. He could not, however, conclude without giving his tribute of praise to the good sense and magnanimity of the people of this country, who had resisted every effort to seduce them from their allegiance

to their Sovereign, and supported themselves with fortitude under the pressure of three adverse seasons.

Several Members were rising to speak, but Mr. Grey was heard first as to the point of order.

Mr. Grey thought it necessary, before the House proceeded farther, that the opinion of the chair should be taken whether such a motion as that now offered could be received in the shape of an amendment. He had always understood that an amendment should partake of the nature of the original motion, but the amendment now proposed altered and reversed the whole shape of the question. He could not help thinking that the regular mode of proceeding would be first to negative the original proposition, and the noble Lord might then have an opportunity of submitting his motion in the form of a substantive and distinct proposition. On the propriety of the original motion, if it had been regularly before the House, he should probably have had to make a few remarks, and have taken occasion to state the reasons why he could not agree with it. What he had now risen to say, however, was merely that, by the proposed amendment, the whole course and form of the motion was changed, and instead of an address of thanks to his Majesty, a resolution of an abstract kind was offered to the approbation of the House. He must hold this to be inconsistent with the proceedings of the House till it was sanctioned by that high authority to which he was at all times ready to submit.

The *Speaker* stated that, so far as he understood the forms of the House, the amendment was one which might regularly be submitted, though it was certainly of a very unusual sort.

Mr. *Wilberforce* conceived that the motion of the noble Lord was strictly consistent with order. The honourable Gentleman on the other side had taken a view of the measures of his right honourable Friend, late at the head of his Majesty's councils, and, as the result of this review, had made the motion which he had that evening submitted to the House. The noble Lord had taken a view of the same measures during the same period, and from this he had drawn an inference of a description precisely opposite, and had made it the ground of his amendment. The amendment was, therefore, not in reality different from the motion, but a different inference from the same facts. He remembered instances of similar amendments being received.

Mr. *Fox* contended that the honourable Gentleman who spoke

spoke last had not correctly understood the nature of the objection which his honourable Friend had urged. It was not to the substance, but to the form, of the amendment, that he objected. If the noble Lord disapproved of the original motion, he might propose an amendment differing totally in substance, but he had no right to vary the form of the motion. The original motion was for an address to his Majesty, and the amendment of the noble Lord submitted to the House a distinct abstract proposition. He could not help thinking, therefore, that the amendment was irregular.

The point of order was here settled, and the debate resumed.

Mr. *Gunning*, in a very neat speech, expressed his gratitude to the late Ministers for their exertions, which, in support of our rights, liberties, and independence, he pronounced to be unparalleled in the history of the country. He took a short view of all their measures, foreign and domestic, during the war, and thought them worthy of the warmest gratitude.

Sir Henry Milbank said, he could not give a silent vote upon the present question, and he was sorry to say that he could not agree with the noble Lord in his Amendment, but he thought it ought to be confined to the late Chancellor of the Exchequer. The late administration had to contend with a new system of warfare, subversive of our constitution, of society, to resist which, firm and unshaken, required no common degree of perseverance and ability. He believed that to his right hon. Friend (Mr. Pitt) they were indebted for the preservation of their laws and their religion. He believed, that to that identical William Pitt, whom the hon. Gentleman wished to thank his Majesty for dismissing, the King was indebted for the crown that he wore. He should not follow the hon. Gentleman in the details into which he had entered, but merely make a few observations. The hon. Gentleman had asserted, that the war was disastrous in its consequences: he thought, on the other hand, there never was a war in which this country was engaged more distinguished for glory and brilliancy of exploit. He joined in that tribute of praise which had been given to that able and amiable man, Lord Spencer. If expeditions had failed, they would have heard enough of them in that House; but surely when they had voted thanks to the gallant officers concerned in those expeditions, they ought also to vote thanks to those by whom such expeditions had been planned and conducted. As to the consequences of the war with respect to the credit of the country, land was as never less, during the war, than twenty-seven or twenty-

eight years' purchase; and such was the credit of the country, that at the close of the war, when a loan of 25,000,000*l.* was wanted, no less than seven persons came forward to bid for it. He did not mean to assert that some errors were not to be found in the conduct of the late Minister; but he was convinced that all his measures were founded in integrity. With respect to the amendment itself, he objected to it as it was worded. He would suppose that a commander in chief was tried by a court martial, and honourably acquitted, and that the troops whom he commanded wished to return him thanks for his conduct—they would not confound him with the whole staff, and he could not conceive, in this instance, that the House ought to thank the late Chancellor of the Exchequer, together with a dozen other persons; but he thought that the motion of thanks ought to meet precisely and pointedly the motion of the honourable Gentleman (Mr. Nicholls), and that it ought to be confined in the same manner to the right honourable William Pitt. He concluded by moving an amendment, to confine the thanks of the House to Mr. Pitt.

The *Speaker* suggested that this amendment could not possibly be received, till the previous amendment should be disposed of.

Mr. *Eryskine* rose next, and reprobated the amendment of the noble Lord in the warmest terms.—Whatever had been the opinion of the House of the original policy of the war, or whatever the degree of support which they had given the late Ministers in all its stages, he conjured the House, as they valued their dignity, their character, their honour, not merely in the present age, but in all future times, not to give their sanction to a proposition so monstrous as that which the amendment contained. The very manner in which it was introduced was enough to justify its rejection. If the original motion, in asserting that the right hon. W. Pitt was removed from his Majesty's councils, asserted what was not consistent with fact, why was not this distinctly affirmed by the noble Lord, and used as a ground for the rejection of the motion. What colour of propriety was there, where so satisfactory an answer to the original motion could be produced, in making it the pretext for eulogiums which could, under the circumstances in which they were uttered, excite only disgust? The noble Lord had represented the vessel of the state as in port, with her flags and steamers flying—all was security, all happiness, all peace. What was it that the noble Lord proposed to do, on the contemplation of these favourable appearances? Did he call on the men who had brought

brought the vessel into this harbour, who had taken the helm at a moment of unexampled peril and difficulty, who had steered the vessel in safety to the port where there was that happiness, that security, that peace in which the noble Lord exulted? No: their exertions in the public service, for which he felt they were entitled to public gratitude, and for which he for one gave them his most sincere thanks, were to be wholly overlooked; and the gratitude of the House was to be lavished—on whom?—The public gratitude was to be lavished on them, who, when the vessel of the State was labouring in the most tempestuous sea, had taken to the boat, and that at a time when, for any thing they knew, or for any exertions on their part, the ship might have been wrecked and destroyed. Without any knowledge of the circumstances under which they had been induced to take this step, without having a single reason explained why they had quitted the ship at a time when their presence was so much wanted to ensure her safety, if by any exertion she was to be saved, the House were called upon not merely to pass over their extraordinary conduct without notice, but, to crown the whole, to grant them even a vote of thanks. In that navy, the exertions of which were so loudly and so deservedly applauded; even when a ship was lost, after every exertion was used by the crew to save it, it was in all cases judged proper that the officers should be called before a Court Martial to vindicate their conduct. But here the order was to be completely inverted. Those who had taken upon themselves the management of the vessel of the State had deserted their posts in a moment of peril, and they were not only not to be forced to account for this extraordinary conduct, but they were to be loaded with praise, and to have honours lavished on their heads. Such a proposition was preposterous, and he for one felt himself bound to reprobate it in the strongest terms. He opposed the motion from no personal animosity to the right honourable Gentleman who had been the subject of such profuse panegyric. He admitted his transcendent talents as much as any man—*from him*, as an individual, he had received no offence, and he had no personal resentments to gratify. He opposed it solely on public principles. He reprobated such a proceeding as the most evil example that ever was set by any House of Commons in any period of our history. The proposition was altogether unprecedented and anomalous; He did not blame the noble Lord and his Friends for the panegyrics

panegyrics they had passed on the right honourable Gentleman's character and conduct. They had given way to the warmth of private friendship, and no one admired more than he did the value of private friendship. It was a source of the purest happiness. It was a spring of the best consolation amid the troubles of life. But praises uttered from the warmth of private friendship were no ground for the proceedings of the House. Without inquiry their praises were to be wholly disregarded. They were not to influence the judgment of men sitting as the Representatives of the People of England, as the guardians of their property, their liberty, their independence. He conjured the House to reflect what was the moment when they were called upon to agree to such a most extraordinary and unconstitutional proposition. It was at the end of a war during which, for nine years, we had been lavishing our blood and our treasures. War was at all times an evil of such magnitude, when justified by the strongest possible reasons, when successful even beyond expectation, it was productive of disasters so grievous to humanity, that every part of its conduct required the strictest scrutiny. What then were the circumstances under which the late war had been concluded? After concluding a war, not one of the objects of which had been gained, in which we had neither got indemnity for the past nor security for the future; which left our ancient rival extended in resources and in power; in carrying on which 200,000,000 of money had been expended; in which the blood of thousands of our countrymen had been shed; in which our constitution had been alarmingly invaded, and the liberty of the subject curtailed—it was with all these claims to inquiry—it was with all these important circumstances to be explained, that on the mere foundation of panegyrics pronounced by the friends, the supporters, or the creatures of the late Ministers, the House were called upon to adopt the noble Lord's amendment. But he begged leave to call back a little more explicitly than he had yet done the circumstances under which the late Ministers had chosen to retire from his Majesty's council. In addition to all the other embarrassing circumstances which he had already adverted to, we had the dispute with all the northern powers of Europe, at the head of which was placed a power of immense population and strength, then ruled over by a monarch who, in character, approached to a madman, and the principal part of whose delirium consisted in his determined hostility to this country. When with these powers

position France was leagued in support of a common cause; when a struggle the most important and the most difficult in which this country was ever engaged seemed at hand, the Minister whose services had been the theme of such copious eulogiums, and the other Ministers whom it was proposed to include in the vote of thanks; on a sudden leave the helm, and leave the vessel to contend with all the stormy elements of heaven. And yet these are the men who are to be thanked, who are to receive the acknowledgments of a grateful country, while those under whose auspices the clouds which covered us were dispelled; under whose management dangers were surmounted; by whose exertions safety was procured, are to be left unnoticed—are to have no tongue to recount their merits—are to have no memorial of national gratitude. There was one way in which it could be satisfactorily proved that the right hon. Gentleman had not deserted his duty. It might be said that particular circumstances disqualified him for ostensibly undertaking the work of peace; that he only retired for a moment behind the scene, but that, though his face was hid from the public observation, his comprehensive eye watched over all the varied parts of the political machine; that every thing continued subject to his controul; that the restoration of that peace, which was received with so much gratitude throughout the country, was his work. Admitting all this to be true, it was a fact known only to a very few persons in the House, and therefore it was a fact on which the House could not constitutionally proceed to act. The whole of this transaction he wished to see cleared up before he could possibly even consent to entertain the amendment which the noble Lord had proposed. There was another point of view in which the amendment appeared liable to the strongest objections. At a time when some of the most prominent characters of the late administration were busied in declaiming against the peace, when, by every exertion in their power, they were endeavouring to convince the House and the public that it was ruinous and disgraceful; when they were doing what in them lay to prepare the way for the renewal of hostilities, they were to be selected as the persons on whom eulogium was to be lavished and honours conferred! Was this the way to consolidate or cement peace between the two nations? Was this the way to convince the government of France that we were desirous of cultivating a good understanding? It certainly was not; and so far the noble Lord's motion seemed to him to be quite unseasonable.

There

There was one part of the conduct of the late administration to which he begged leave to advert, and which, if no other objection existed, would, in his mind, fully justify his rejection of the amendment. It was said that the peace was not so favourable as could have been wished. He allowed that it was not: but to whose fault was this to be ascribed? It was to be ascribed to that very right honourable Gentleman whom the House were now called upon to thank for his services to the country! It was to his advice that the rejection of the offers of Bonaparte were to be ascribed; and it was to the influence of his mighty eloquence that the subsequent approbation of this rejection was to be traced. Was he then, as an independent Member of Parliament, to thank the right honourable Gentleman for doing that for which he would say that he ought to be impeached, but that this word had lost its signification in the House (an act for which, if ever the day should come when he saw a House of Commons of the description he desired to see, he should certainly feel it his duty to make a ground of impeachment); for to impeachments in such cases there was no statute of limitations. Let the House recollect that the person whose offers of negotiation were so contemptuously rejected, was the same Bonaparte with whom we had now concluded a peace, and with whom he trusted and believed his Majesty's present Ministers were disposed to maintain the relations of amity, not with meanness or servility, but with independence and dignity; the same Bonaparte, whose ambassador was now at our court, and whom we had consented to recognize as the lawful head of the government of France; the same Bonaparte, whose sincerity we have no grounds to impeach now, and which Ministers, at the time of rejecting his overtures, had then no reason to suspect. But the House could not have forgotten the time when this rejection took place. It was when Italy contained not a single French soldier; when it had been traced and retraced by the footsteps of Russian troops, and the French armies had totally withdrawn from it; it was when the States of Europe had not fallen into that degraded situation in which they now presented themselves; it was when terms of peace, much more moderate and consistent with the independence of Europe, could have been obtained; it was at such a moment as this that language of the most barbarous and disgusting kind was employed to the Chief Consul of France. It was not merely that we refused to treat, but that we refused even to listen

to a proposition for that purpose. It was not that we sent back a refusal, couched in the language of conciliation, but that the offer was treated with the most offensive contempt. The rejection, accompanied with all these circumstances, was factious by the House. The bitter pill was swallowed, but if it were to do again, was there one man in the House who would agree to its repetition? He believed there was no such man to be found; yet was it the act of a man, whom the House was now called upon to thank for his public services. He maintained that the fair way would have been first to negative the amendment, and not to make this pompous interpolation. There was no saying how many amendments of this nature might be moved. The noble Lord had had a *that*; and the honourable Baronet had had a *that*; he himself might wish to have a *that*.—(*A loud cry from the Treasury Bench of move! move!*)—Mr. Erskine said he would move; and moved, that a committee be appointed to inquire into the conduct of the late administration, and the causes of their resignation. However, as the forms of the House did not allow of the motion being put, the honourable and learned Gentleman withdrew it for the present, and concluded by giving his most hearty dissent to the amendment of the noble Lord.

Mr. Calcraft adverted to the statement which had been advanced, that the late Ministers had no merit in repelling dangers that threatened the country, because no such dangers ever existed. But could it be asserted that French principles, inimical to all regular government, had not made their way into this country? And if so, could it be denied that there existed serious and real danger? He concluded by an eulogium on the late Chancellor of the Exchequer, for the measures he had taken to subdue this spirit.

Mr. Milnerford said, he rose in consequence of two or three things which had been advanced against the conduct of the late Ministers. He gave great commendation to the terms in which the noble Lord (Lord Belgrave) had couched his motion: it did not convey general, vague, and indiscriminate praise, but fixed upon specific advantages which the country had derived from the conduct of the late Ministers, and to which no one could refuse his tribute of praise. He defended the figure of a ship rescued from the tempest, which another honourable Gentleman had converted to a different purpose. It is, said he, by the blessing of Providence, and the efforts of the late Ministry, that the vessel of the State has been rescued, not only from the waves, but from the hands

of the enemy, and has been conducted triumphant into port. With regard to the strongest ground of argument which the opposite party has chosen, the resignation of the late Chancellor of the Exchequer, I am happy, for that right honourable Gentleman's sake, that this is their strongest ground, for it is as weak as can be imagined. That his remaining in office is accounted by them so essential to the interests of the country, is a high compliment to his talents. Yet, if he had at any time shown a want of zeal for the interests of his country; if at any time he had relaxed in his efforts, or if he had deserted her in the moment of peril, from any improper motive, he deserves to be censured, and I should be ready to join in it. But let us attend to the conduct he has pursued since his resignation, and from that we can form the best judgment of the motives which induced him to resign. Let us observe the magnanimity with which he has supported the Ministry which succeeded him; the spirited and disinterested manner in which he has come forward to approve the peace which they have made; let us observe the greatness of his mind on these occasions, and then withhold our praise if we can. An honourable Gentleman has said, that so great a respect does he pay to private feelings, that he approves of those who support the late Minister from motives of personal friendship. For my own part, I respect private feelings as much as he does; but I neither would vote myself, nor would I approve of others voting from such motives on the present occasion. The late Minister has a claim to their support from much higher motives. His merit is of the most exalted kind; yet I cannot approve of the motion of an honourable Gentleman to return a vote of thanks to him exclusively. He indeed, as the head, the prime mover of the late administration, gave energy and vigour to the whole; but his measures were all submitted to the review of the rest of the Cabinet, and modified and amended by their united wisdom. It is therefore an ill-judged and invidious measure, to return the thanks of the House to one Member of the Ministry, exclusive of the rest. I shall not trouble the House with entering minutely into the subjects advanced in the course of the debate: there are, however, one or two points which I feel myself obliged to remark upon. These are some parts of the late Chancellor of the Exchequer's conduct, which, in my opinion, deserve particular commendation. In the first place let me mention that energy with which he roused the spirit of the country to repel the dangers which gathered around it. When others
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sunk under the prospect of the evils which threatened us, his firm and resolute conduct gave new courage and energy to the country, and raised it to a level with his own intrepid mind. The merit which ranks next to this transcendent one, is the disinterestedness and public spirit with which he looked forward to the advantage, the relief, the prosperity of future ages, in the regulations which he introduced into the finances, and the plans which he formed for the discharge of the burdens of the people. Instead of that narrow policy of temporary expedients with which he has been charged, I am of opinion that his conduct was directly the reverse; and its being so is a proof of the highest integrity and political wisdom. There is another part of the right honourable Gentleman's conduct which I dwell on with particular admiration. When it was necessary to call forth the energy of the country in its own defence, he did so with a zeal and intrepidity beyond all praise; when again the country shewed a wish for peace, he was as ready to comply with its wishes. When a peace had been concluded by other Ministers, after he himself had retired from office, being convinced that the nation wished for peace, and that the terms of the peace were advantageous to the country, he came forward to support that peace. His magnanimity in so doing is unparalleled; in this conduct he stands almost unrivalled and alone. This magnanimity appears in his whole conduct during the war. He knew that the country was powerful, but he knew also that it was free. He did not therefore madly oppose its wishes for peace; but as soon as those were manifested, he made overtures to that purpose, and when those overtures failed, he again roused the energy of the country to compel the enemy to grant us honourable terms. These merits of my right honourable Friend are known and allowed by all; the united voice of the country has proclaimed them aloud. With regard to the motives which induced him to retire from office, they do not fall under the present discussion; but that they were honourable and patriotic, let me appeal to the voluntary support he has given to the honourable and patriotic men who have succeeded him. If they wish to secure the approbation of their country as he has done; let them pursue his steps; let them call forth the energies of the country in the arts of peace, as he did in the perils of war. I cannot conclude this speech without observing on what has been said with regard to my right honourable Friend's conduct before the war. The accusation, so often refuted, has been re-

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newed, and he is again charged with being the author of the war. I shall only repeat in answer what I have often stated, that I am convinced he was not the author of the war. His whole previous system of policy is an irrefragable confutation of this charge. His system of finance, the grand measure of his administration, could only be pursued in times of tranquillity. The mention of finance reminds me of another great merit of this illustrious statesman. His financial talents are allowed by every one; and they are such as call for universal admiration. When he had matured a plan for easing the burdens of the people in the hour of peace, he was suddenly called to provide resources for a dangerous and bloody war. To the latter object he accordingly turned his attention, and by his unrivalled financial talents shewed the nation how to bear and to flourish under circumstances which almost every one else looked upon as altogether insupportable. Such, therefore, being the merits of this great man, and such being the beneficial consequences which have resulted from the conduct of the late administration, I conclude with giving my most hearty consent to the amendment of my noble Friend.

Sir Robert Peel said, he hoped the House would pardon him, if he entered at some length into a part of the subject which he thought had not been sufficiently attended to. I have the honour, he said, to be a member of the commercial world; and have had occasion to transact with the late Chancellor of the Exchequer business of great difficulty and importance. From personal knowledge I am therefore enabled to state, that no Minister ever understood so well the commercial interests of the country. He knew that the true sources of its greatness lay in its productive industry, and he therefore encouraged that industry. Circumstances obliged him to lay burthens on the country, but he had first taught the country how to bear these burthens. Large debts were indeed contracted, but they were more than equalled by the increase of wealth arising from his wise measures. It is not unusual for a country to flourish in peace; but where is there another Minister to be found, under whose auspices the resources of his country had been doubled in the midst of an expensive and vigorous war? Debts have been contracted, but they are all domestic debts, and the interest is spent among ourselves. Whatever may be said of our burdens, it is evident to all, that the country under their pressure, is more flourishing than at any former period. Many things have

have been urged to shew the evils arising from our paper money; but I will venture to assert, that no issue of paper money has been made which we have not funds to support; unlike a neighbouring country, which issued paper money till its value was depreciated almost to nothing. Sir Robert then adverted to Mr. Pitt's political measures. He said, that he had been blamed for the support he had given them; but he was convinced that it was the duty of the commercial world to support every administration, till they had actually rendered themselves unworthy of public confidence. He said, that he himself had at first doubted of the propriety of the vigorous measures adopted by the late Chancellor of the Exchequer; but experience had convinced him of their wisdom. He then made a few observations on the application of the unclaimed dividends to the purposes of Government, on the suspension of the habeas corpus act, and on the Bank restriction; measures which had at first given him some apprehensions, but which had not been attended with any ill consequences whatever. I believe, continued he, I believe that to the measures of the late Chancellor of the Exchequer, I owe the liberty of delivering my sentiments at present in this House; that to him I owe the possession of that wealth and rise in the world which my industry has acquired. I do not speak solely of myself; the same may be said of every individual whose industry has succeeded under his protection. He has been the benefactor of his country; he has neglected no one's interest but his own. It has indeed been said, that though he did not enrich himself, he secured his influence by bestowing pensions and titles on others. But he had no occasion to have recourse to such arts; he had secured sufficient support by honourable measures; three parts of the House, who were incapable of being bribed, were his friends. When such is the case, it is my opinion that the House should not content themselves with a bare vote of thanks, but bestow on him some more solid mark of their approbation. It would be disgraceful to the nation to allow such a man to retire to languish in poverty. I for one would be happy to contribute to prevent this; not from any personal motives, for I have not the honour of being acquainted with the right honourable Gentleman, but on account of the great and important services which he has rendered his country.

Sir G. P. Turner denied that war was ever the wish of the late Minister. Had he been a greater tyrant even than Robespierre himself (*a laugh*), it was improbable that he could have

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have desired war, when peace under his auspices was so productive of public wealth and public happiness. If the House should that night vote any censure upon the late administration, they would, in his opinion, vote a censure upon nine-tenths of the Members of the House, for they had uniformly approved their measures during the war; and he himself was one of those who always voted with them, upon independent principles too—for he had no place or pension, nor would they rank him with the Peers.—(a general laugh.)

Colonel *Wodehouse* said, he gave his hearty assent to the amendment, as he considered the original motion derogatory to the honour of the House, after the approbation they had uniformly bestowed upon the measures of the late administration. He was happy, that while he made their eulogium, he only spoke the opinion of the public. He then went into some of the meritorious services of the late Chancellor of the Exchequer, to the reputation of whose illustrious name, he said, his own praises would add as little, as the detraction of others would take away.

Mr. *Grey* said, Sir, in rising to address you I feel myself a good deal at a loss. I know not whether I am called upon by the motion of the noble Lord to consider generally the merits of the late administration, and to approve of all the conduct of all the individuals who composed it, or to look only to one right honourable Gentleman, on whom exclusively panegyrics have been heaped, and whose superior light is thought to have reflected some small degree of splendour on those who acted along with him. I must observe that the long string of his admirers who have spoke in his praise have confined themselves to general eulogium and declamation, or to an assumption of facts which it behoved them to prove. This motion is not only unprecedented and unsupported by argument, but insulting to an oppressed people, who are now groaning under the fatal effects of his misconduct. To some parts of it, to be sure, I do not dissent. That we have been highly indebted to the exertions of the army and navy during the late contest every man must allow. They ever distinguished themselves in the most glorious manner, and when they failed it was from no want on their part of skill, gallantry, and discipline. But I think it was a little hard and a little unfair in the noble Lord to mix the merits of the late Ministers with the merits of our fleets and armies. When he professed to be animated with a wish to repay his right honourable and noble Friends for the censure that had been thrown

thrown upon them, why did he not confine his motion exclusively to them? Why would he involve others in their errors and their guilt? One honourable Gentleman says, that by means of the late Minister we have gained all that we have not lost; another, that he has raised the country to an unparalleled pitch of prosperity and power; while a third asserts, to him the King is indebted for his Crown. (A loud cry from the Treasury Bench of *hear, hear!*) *Non tali auxilio.* The Crown never was in danger, and if it had there was a sufficient share of loyalty and good sense in the country to defend it without any assistance from the right honourable Gentleman. We are told that the vessel of the State has outrode the storm, and now rides securely in port. In what does this security consist? Look to France, and see the situation in which we are left. There are not wanting those who affirm that the State, far from being in a port of security, can no longer entertain a hope of safety. Before I believe that we have gained all that we have not lost, I must hear very different arguments. We have now made peace with the French Republic. We were called upon to do the same at the beginning of the contest. What dangers would the country have known then to which it is not now exposed? Was the Republic more formidable then than at present? But we were afraid of jacobinism. Is the existing Government of France built upon jacobinism, or is it not? Let those answer who rejected the overtures of Bonaparte, and who justified their conduct in this House. Have we forgotten the position of a right honourable Gentleman, that the effect of the success of such an usurpation was a danger too tremendous to be encountered? There are few who will say that the principles on which the Government of Bonaparte is founded, are less jacobinical than those of the other Governments which have sprung up in France since the revolution. Had Robespierre been allowed to consolidate his power and to seat himself quietly on the throne, would he have been less safe to be treated with? If he had found it for his interest, would he not have suppressed the clubs, silenced discussion, shackled the press, and after worshipping the Goddess of Reason, installed Christianity in the church of Notre Dame? These things have been done by one of whom such atrocities are related during his campaign in Egypt; and why might not the same line of conduct have been pursued by the other governments of France who have vexed that ill-fated country—ill-fated in having lost its liberty;

liberty; fortunate in conquest and aggrandisement; but these are poor compensations for being reduced under the yoke of despotism. If peace had been made when France was driven within her ancient boundaries, would the dangers of this country have been greater? An honourable Gentleman (Mr. Wilberforce) has given peculiar credit to the late Minister for being ready to treat with the enemy as often as a favourable opportunity occurred. But the honourable Gentleman did not mention when he was inclined to pacific measures; and when he breathed nothing but defiance. When did he consent to negotiate? in the hour of misfortune. Transient success at all times served to make him reject overtures of accommodation with the most unbounded haughtiness. When Lord Malmesbury first went to Paris, Italy had been conquered and Germany overrun. Jourdan was defeated, and the negociation broke off. What was the state of things when Lord Malmesbury went to Lisle? The Emperor had been compelled to conclude a separate peace, we were without an ally, and our affairs at home wore the most dismal aspect. Under what circumstances did we again refuse to negotiate? The French had been driven out of Italy; Bonaparte was sincere because peace was his interest; the balance of power had not been for ever destroyed; and the continent of Europe did not lie at the mercy of France. You would approve of a Minister who has behaved with insolence as long as he was successful, and refused to abandon his rash and ruinous projects, except in disappointments and defeat. This resolution is to be passed after we have been forced into a peace such as England never concluded since she held her late high rank among the nations of Europe—a peace to be defended on the score of necessity, but which too clearly proves that this country is precipitated from that pitch of greatness to which the arms and the councils of our ancestors had raised it. I approved of the preliminaries, and I would by no means give a vote which would endanger a renewal of the war. But I feel myself strongly inclined to alter my opinion, and my mode of acting, not only by events which have subsequently happened, but by the manner in which the peace is defended. What is the boasted port in which we are now riding securely? France has attained that power and those boundaries which few men in France, at the beginning of the contest, considered more than an idle dream. Her present limits are the Ocean, the Pyrenees, the Rhine, and the Alps. Indeed she has gone beyond the Alps, and the Italian Republic

Republic is no longer to be considered but as one of her departments. The Gentlemen on the other side of the House tell us we are secure and triumphant! The maritime and commercial advantages which France has gained are not less considerable. I am convinced that the House heard with astonishment, the assertion of the noble Lord (Lord Hawkebury) that this peace secured to us a greater naval and commercial superiority than we had ever before enjoyed. The noble Lord ought to have a more correct way of estimating these matters than tons of shipping or returns of exports. What are present advantages unless we have some security for their enjoyment? Were these advantages less considerable before the war began? Consider for a moment, Sir, our prospects if we had remained at peace. Do we owe our superiority to the blood and treasure we have expended, to the taxes with which we are burthened, and to the exhaustion which we feel? I greatly fear that we have given France means to rival us upon the seas, which she never before possessed. With a sea coast from the Texel to Spain; with her ancient ports and new acquisitions in the Mediterranean, can it be doubted that she will become a great naval power? Has she no means of attacking yours? You are excluded from almost the whole continent of Europe; she has cut you out from the coast of Africa; she trades with great advantages in India; from her formidable new position in America, she makes the United States dependant, and controuls the whole of your commerce to the West Indies. Let the noble Lord now say that our naval superiority is greater and more firmly established than at any former æra! To prove the fallen state of this country, I have only to appeal to the right honourable Gentleman's colleagues in office. Instead of expecting approbation, does it not lie on him to clear his character? He may be innocent, but is not the reduction of a great nation to comparative imbecility and insignificance, *prima facie*, evidence of misconduct which he and his friends are bound to repel? All the Gentlemen who have spoken have dwelt largely upon the unparalleled difficulties with which the late Minister had to contend:—here was the assumption of a fact without any proof. Who ever began a war with such confidence? What Minister had ever so few difficulties, in his own estimation, either at home or abroad? If difficulties did arise, he must prove that they were not produced by his own misconduct, and that without any fault of

his, he is obliged to abandon all the objects for which he went to war, although his motto long was—

—“Potuit quæ plurima virtus
Effe fuit : toto certatum est corpore regni.”

He had to struggle with financial embarrassments: When our trade was so extensive, when our credit was so high, could these arise without mismanagement? It is possible that they might, but it is too much to ask us, without inquiry and without proof, to believe that they did. Dissention relaxed the efforts of the confederacy, and at last dissolved it. But were not all his measures calculated to produce discord and jealousy? The grand object of the war was to reduce the power of France, and to compel a Government to abdicate what was inconsistent with civil society. When the destruction of a government was sought, what possible good effect could be produced by military operations in the West Indies? The loss of colonies had no effect in diminishing the influence of the rulers of France. The conquest of Martinique being achieved by those who are most dear to me, I must ever reflect on it with pleasure, but this and subsequent successes in that quarter, did not in the remotest degree advance the object of the war; the force sent thither was so much detached from that which should have been directed against the heart and vitals of the enemy. Was this the only evil of this selfish and impolitic plan? Could we expect that the confederacy would keep united, when it was seen that we were aiming at the aggrandizement of our own power? Distrust was generated, together with a similar desire of plunder in all our allies. While we were pursuing schemes of conquest in the West Indies, the Emperor attempted to gain a new barrier for himself in the Netherlands, and took possession of Valenciennes in his own name. When we began to struggle for what were called British objects—when an attempt was made by our troops upon Dunkirk, dismay and disgrace attended our ill-directed efforts. These reverses are solely attributable to the fundamental error in the conduct of the war. To shew the right honourable Gentleman's own views of the facility of the task he had undertaken, I would refer the House, Sir, to his repeated declarations of France being not only on the brink, but in the very gulf of bankruptcy. According to him, her resources were completely exhausted, and she could not keep an army in the field many weeks longer. What must be the noble Lord's
notion

notion of the difficulties Ministers had to encounter, when he talked of marching to Paris? Sir, our situation, for which we are to thank the right honourable Gentleman, is such as to justify a peace by far the most dangerous the British nation ever concluded. The sacrifices which we made by the preliminaries were very great; but many things have happened since which are extremely alarming, and which, had the House and the country then known, their joy would have been greatly damped. The island of Elba has been seized under circumstances which, since we are at peace with France, I forbear to state. Italy has been annexed to France, France has gained possession of Louisiana, and, what I think by no means the least important, by the non-renewal of former treaties we have lost many commercial advantages, and a wide door is opened for future altercation and animosity. A right honourable Gentleman (Mr. Addington) said that we could not prevent the usurpations of France since the Emperor did not oppose them. What is this but a confession that England is excluded from the affairs of the Continent, and that France may carry on her ambitious schemes without molestation? I was a good deal amused with the right honourable Gentleman's assertion, that the island of Elba was ceded to France by a sovereign independent power, and that therefore we had no right to interfere. The late Minister affirmed that the opening of the Scheldt was such a violation of the rights of nations, that for that alone he would have counselled a war against France. Is the annexation of the island of Elba to be compared for one instant to the opening of the Scheldt? Yet it is permitted without a struggle; and perhaps we did not even venture to remonstrate! To such a deplorable condition have the counsels of the late administration reduced us, that after the preliminaries of peace we are obliged to consent to a prodigious augmentation of the power of the enemy. When this is the sad result of their measures, we are gravely called upon to hail them as our deliverers. The motion in itself is unprecedented, and a most unseasonable time is chosen to bring it forward. It is now above a year since these Gentlemen retired from office, leaving the country in a state of unparalleled danger, and we have just concluded a peace which we reckon ourselves happy in obtaining though unattended by security. At such a moment and on such men it is proposed to confer a mark of honour which neither the Ministers of Queen Anne nor the conductors of the seven years war ever received. We would

represent them as having raised higher the glory of the country, and more effectually promoted its prosperity than a Chatham or a Marlborough! I must hear something very different from what I have yet heard before I consent to this prostitution of the honours of this House. As the noble Lord's motion is couched in such general terms, of course we must approve of every act of the late administration, their conduct of the war, their behaviour to foreign powers, their negotiations, and their refusals to negotiate. See in what inconsistency the House will be involved. The question is between the late and present administration. You have approved of the peace, such as it is; but I ask, whether the disadvantages of that treaty are not, in a great measure, to be ascribed to the rejection of Bonaparte's overtures? Is there any man bold enough to rise in his place and affirm, that we might not, in 1800, have obtained terms of comparative honour, power, and security? With the fatal consequences before its eyes, does the House now approve of that rejection? If Louisiana has given France the command of North and South America, if she is mistress of Italy, if the island of Elba forms part of her territory, if she is virtually in possession of Malta, (for to talk of the independence of the Order is downright trifling) the insolent rejection of Bonaparte's overtures has wrought all these calamities. A majority of his Majesty's Cabinet Ministers retired last session of Parliament, for whether they were dismissed or resigned is not here worth disputing. For the general policy of their councils we are not to look to the individual sentiments of any particular Member, however great his influence. His approbation of the present peace may or may not be a proof of his pacific disposition at a former period, when he talked about "a lucky escape." But the majority of his colleagues have declared the peace disgraceful and ruinous. Four have already openly stated their sentiments, and if rumour is to be believed, others will embrace the next opportunity to do the same. Therefore they never would have counselled the King to conclude this peace, which the House has so loudly applauded. If the House passes this resolution, it condemns the peace which it formerly approved, and I have no doubt, Sir, will in the course of a very few days again approve. Let me ask you to pause, and to shew some regard for your consistency, for your dignity, for your reputation. The noble Lord talked much about the tone of diplomatic transactions. From the insolent tone in which the late

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late administration talked to the enemy, peace must have been for ever unattainable. Their grand object seemed to be, to exasperate the nations, and to render their enmity perpetual. One honourable Gentleman stated, that the war had been generally successful, and that there had been no failure where British troops had been equal in numbers to their opponents. Has the honourable Gentleman forgotten the repeated motions made from this side of the House upon repeated failures? Has the honourable Gentleman forgotten the attempt upon Dunkirk, where we yielded to inferior numbers? Has he forgotten the fatal and disgraceful expedition to Holland, where a British army was obliged to capitulate to an inferior force? We were told a powerful diversion was effected. I have always understood that the object of a diversion was to employ a larger by a smaller force. But a more numerous British army than the Duke of Marlborough ever commanded was here cooped up by these men we were going to thank, without an opportunity to promote the cause of their country. I would wish the honourable Gentleman to recollect the expeditions against Ferrol and Cadiz, and the history of that armament meant to assist the Austrians in Italy, but which did not reach the Mediterranean till the fate of Europe had been decided in the plains of Marengo, and which, but for an accident, would have sailed into the port of Genoa, then in possession of the French. No man contemplates with greater exultation than myself the last campaign in Egypt. The troops of no nation ever gained greater glory. But far from this success being to the credit of the late Ministers, they deserve censure and punishment for having exposed these brave men to dangers too great in the ordinary course of human events to be encountered with the smallest hope of victory. Our troops were victorious chiefly from their own discipline, skill, and heroism; but in no inconsiderable degree from the misconduct of the enemy. If any doubt is entertained of the criminality of Ministers in sending out this expedition, let an inquiry be instituted, and I engage to make good the charge at your bar. Now, Sir, let me be permitted to offer a few observations on the financial state of the country, which the right honourable Gentleman is praised for having so considerably improved. The financial talents and knowledge of that right honourable Gentleman I am perfectly ready to admit. I do not, however, hesitate to declare that his rash and desperate attempts at innovation in finance has involved the country in greater difficulties

facilities in that respect than it has ever been entangled in at any former period. Into this subject I had on a former occasion attempted to persuade the House to institute an inquiry; but my motion was objected to, as of too general a nature; yet my endeavour went no farther than to give an opening to a Committee, to inquire into the financial transactions of the right honourable Gentleman. If that motion was justly objected to as too general, how much more objectionable is the present motion, which goes to give a lumping vote of praise to the general administration of the right honourable Gentleman, and that without any previous inquiry, and upon the result of a single debate! But, what is it that deserves the thanks of this House in his financial exertion? Is he to be thanked for having more than doubled the national debt, and for having expended during the late war more than was expended during the wars of Queen Anne, King William, &c. nay, all the wars since the Revolution? Is this the proof of the financial prosperity in which the right honourable Gentleman has placed the country? The honourable Baronet, (Sir R. Peel) has concurred in one censure, at least, of the financial conduct of his right honourable friend, viz. the remittance to the Emperor without the consent of Parliament. The honourable Baronet has also lamented, and expressed his uneasiness respecting the restrictions on the bank, a measure which is generally acknowledged to be inconsistent with the true principles of credit. By whose fault and misconduct was that misfortune brought upon this country? To whom was it to be ascribed in the opinion of the directors and governor of the bank himself? The report of the committee told the House that it was imputable to the failure of the right honourable Gentleman to make good the debt due by government to the bank. The restrictions on the bank also gave rise to almost all the forgeries for which we see so many daily fall victims to the law. Even now, after the vessel of the state has triumphantly entered the port of security, it seems it is deemed unsafe to take off this restriction, neither is there any reason to expect that it will soon be taken off. Here then was another financial measure, of the result of the honourable Gentleman's contrivance, which did not appear very forcibly to call for a vote of thanks. But perhaps the income tax would atone for any thing blameable in the former measure. Surely there never was proposed a tax more repugnant and hostile to the spirit of a free constitution. But what is be-
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come of that tax? Is it not now to be added to the permanent debt of the country? For have the terms of the loan been strictly adhered to? But his great financial merit is no doubt built on his plan of the sinking fund, and his adherence to that system. But has not the spirit of that plan been wholly abandoned, or at least considerably impaired, during the present session, and that with the advice of the right honourable Gentleman? Can the public now derive any advantage from that plan? and is not the burthen transferred from the present House of Commons and imposed on future Parliaments and posterity? Here then are specific objections against the financial merits of the right honourable Gentleman, in which, however, his strong hold is supposed to consist. And should not the House, therefore, pause before they proceed to an unqualified vote of praise on his general administration? But the right honourable Gentleman kept up the funds: is the glory or the prosperity of the country to be measured by the depression or rise of the three per cents. On this subject I would beg the House to recollect the observations of Mr. Hume on the reigns of Charles and James II. I would also wish them to recollect what was formerly the wealth and commercial prosperity of Holland. They would then, perhaps, be inclined to look for better criteria of the security and honour of a nation than the mere price of stocks. States might, perhaps, be resembled to patients who labour under certain disorders—they wear indeed the complexion and flush of health, but an internal decay preys upon their vitals. That the right honourable Gentleman possessed great talents no man is readier to acknowledge than I am: his eloquence, his dexterity at debate may be unrivalled; but his talents are rather shewy than solid, and better calculated to defend bad, than to produce good measures: his government was most iniquitous and oppressive in many respects, and utterly destitute of true policy. Viewing it, Sir, as I do in that light, it is impossible for me to assent to the amendment moved by the noble Lord.

Sir H. Mildmay said a few words in explanation.

Lord Hawkebury said, he rose to answer some of the observations which were made by the honourable Gentleman who had just sat down, because in several parts of his speech that honourable Gentleman had alluded to him so particularly, that he felt himself called upon to rise at that period of the debate, to state, as shortly as he could, the grounds on which should give his vote for the motion of his noble Friend.

Friend. But before he entered on the general arguments of the honourable Gentleman, he could not help adverting to that part of his speech which related to his noble Friend's making that motion, which motion he would assert arose out of another motion which had been made by an honourable Baronet (Sir Francis Burdett), not then in his place, who on that occasion moved in substance, a censure upon the late Administration, and the present motion becomes still more necessary, as it arose out of a speech made by that honourable Baronet previous to his motion; for after an attack so pointedly made on his right honourable Friend (Mr. Pitt), who was at the head of that Administration, as his name had been brought forward in such a manner, it was due to him who had been for so many years the Minister of this country; it was due to the House, which had for so many years given him their support, and particularly in the late contest in which we were all engaged, not to suffer such a motion as that made by the honourable Baronet, and the speech which preceded it, too pass over with a mere negative; but to institute a parliamentary proceeding, stating the reverse of such motion and speech preceding it, which could not be done without expressing the approbation of that House of the conduct of his right honourable Friend and colleagues throughout the arduous struggle in which they had been engaged. The honourable Gentleman who had just sat down, had adverted to the subject of the war which was just concluded, he had mixed with his observations upon that subject some comments upon the treaty of peace: in the general view of things, it was perfectly fair for him so to do. It was not his intention, however, to enter into the detail of those arguments; he admitted it was competent to the honourable Gentleman to advert to the peace just concluded, the terms of which, under all the circumstances, ought to be satisfactory. He admitted, however, that the honourable Gentleman had a right to deny it, and to enter into an inquiry either into the principle of the war, or the conduct of the war. On the subject of the war, the honourable Gentleman, however, and others who had taken the same mode of argument on former occasions, had made a mistake in the character of the war, and mode of considering it, namely, they had considered the contest which we had just concluded as that of an ordinary war which we were accustomed to; such as a war for general principles of national interest—a general balance of power, or for the purpose of resisting the aggrandizement of a rival

a rival power. It was in no such view such a war as that we had just concluded ought to be considered. He took the liberty of describing this war, as tending to bring about a revolution in the manners of men, and as having its foundation in principles totally different from any other war in which this or any other country was ever engaged. It was different in its moral effect, as introducing principles which could not fail to be dreadful to surrounding nations, and which principle, if not resisted, threatened to overturn the moral principles of every other power in Europe. But the honourable Gentleman, though he did not much insist upon it, had asserted that in this war we were the aggressors. He would not repeat what he had said on that subject, but he would alledge, that by every party that had succeeded in France, it had been acknowledged among them all that France had been the aggressor. The mode in which it had been considered was obviously fallacious: he did not deny that in some of the provisional executive governments there might be some persons desirous of avoiding a war with this country. He was indeed convinced there were such persons, but all these persons thought, as well as all persons now think, in that country, that the spirit of a National Convention, in whom all the power resided, and not in the Provisional Executive, had determined upon a war with this country, and it was impossible for any Provisional Executive in France, with such a disposition in the Convention, to prevent a war, or in any measure to avert that calamity. He felt no difficulty in saying there was no inconsistency in his conduct upon this subject, no subsequent conduct of his, in any share he had in the late negotiation for peace, had subjected him to the imputation of any change of sentiment. The war arose from necessity, from the principles that were prevalent in France previous to its commencement, disposed as France manifested itself to be, to receive the seditious of every country, publishing as it had, principles utterly subversive of all order, destructive of all property, of all moral obligation, of every thing that was dear to man; with such a country, professing and publishing such principles, it was impossible to be long at peace; the war was a calamity in such circumstances, that was unavoidable: it therefore was not only difficult, but impossible for this country to avoid that calamity, without surrendering its own rights and independence, and without being accessory to the ruin of every power in Europe. But, the honourable Gentleman asked, whether the ground of argument,

on jacobin principles, does not now exist in the same force and degree against the Government of France, as it did when this country first opposed it on that account? To which he would answer, that jacobin principles not only did not exist in the same force and degree, but, in the way in which the honourable Gentleman stated that matter, they did not exist at all. The honourable Gentleman had asked, if jacobin principles did not give birth to the present Government of France? That was not the mode of considering the question; it was not material to consider what gave birth to the present Government, the question was to us, what were its professions now? And in that respect, there has been a complete change in the Government of France. The present Government of France has published to the world a recantation of every principle of jacobinism, and of every other principle from which danger was apprehended, in a manner as satisfactory, as far as profession could be such, as the most sanguine friend of the war, or the most decided enemy of jacobin principles, could desire. However he might regret the fate of the House of Bourbon, without considering whether that House was likely to be restored or not in the course of the war, yet if it had been for nothing more than a change of the Dynasty, the contest would not have been carried on; but the contest here was owing to the entire change of principles upon which the Government had been carried on; all principles of established Governments had been overturned, and it would have been at any time sufficient ground for other countries to adopt measures for the resistance of such principles, as being utterly hostile to all Government whatever, they being in their nature calculated to overturn all constituted authorities; and they had been declared incapable of maintaining peace and amity with other powers, not because they were a Republic, but because they were a Government, the like of which never before existed, on which no Republic even was ever formed, proceeding upon a system that was truly subversive of every maxim, and every rule of action that had hitherto been found to contribute to the happiness of mankind. He might be asked, however, what he thought of the recantation which had been made of those principles, and whether he thought they gave evidence of a recurrence to ancient principles? To which he answered, he was aware that whatever would be the desire of persons in France, after such a conclusion, it would be impossible for them to set up an establishment upon the best of models, for they must take
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their materials as they found them. In the mean time he thought credit was due to their profession, as far as it ought to be respected by foreign powers, for they had publicly asked pardon of God and man, and done every thing they could to revert to the antient established principles of Government, and their measures, in every point he had been able to view them, had that tendency. He thought it an important consideration with reference to this peace, or to any peace that could be concluded, when some of the objections that had been started to the peace, were removed, and it was then a question, if no credit were to be given to these recantations, how far it would be prudent in this country to drive them again to revolutionary measures, where they must abandon the system which they had now adopted, and proceed in the very same course which rendered them incapable of maintaining peace and amity with other powers. He was now come to that part of the argument in which the honourable Gentleman had asked, what period of the war it was in which we might not have had more advantageous terms of peace than the present? To which he again answered, that he desired the honourable Gentleman to shew any period whatever from the commencement of the war to January 1800, in which we had any chance whatever of any peace. The honourable Gentleman had complained that no proposition came from us at any time for peace, when we ourselves, or our allies, had been successful; that our attempts at negotiating were always in the hour of our distress. The honourable Gentleman had forgotten that a proposition to negotiate had been made by his right honourable Friend, the late Chancellor of the Exchequer, at Basle, which was at a period when the Austrians had been successful. He was not now stating, whether Government was right or wrong, as to the terms which were insisted upon, but he was stating it, in answer to the objections of the honourable Gentleman, for the purpose of shewing that no peace could be made with France at that period; and it was not a question of terms, but of principle, which principle was, on the part of France, to make no peace at all; and he had no difficulty in saying, that had there been no alteration in that principle, it would have been impossible for this country to have succeeded in negotiating in any manner whatever. He then took a view of the observations of the honourable Gentleman on the subject of the negotiation in 1800, and maintained it was not probable that we should have had better

terms at that time than the present. The French being then in possession of various places which he enumerated, Genoa, Malta, Egypt, &c. and which they afterwards lost by the fate of war, and observed also that Austria and Russia were at that time willing to continue the confederacy and to prosecute the war, and he contended there was at that time a chance of improving the condition of Europe by its continuance, and therefore it was prudent in us to decline the proposals which were then made; besides which, it was to be remembered that France had gone on in a ten years revolutionary career, and had ten revolutions in that time, so that there was no reliance to be placed on the stability of its government. Having stated this much upon the circumstance of the different negotiations proposed at that period, being satisfied that the war arose out of the moral effect of the French revolution, that no human prudence could have prevented it; being sure that from the commencement of the war to January 1800, there never was an option given to this country as to war or peace; he would admit that in January 1800 there was stated a different ground, but still it did not follow, that it might not have been prudent to prefer the chances of war to the chances of peace. He should now come, in its order, to consider the conduct of the war; but before he did that, he would say a few words on the observations which the honourable Gentleman had made on the definitive treaty of peace. He would not go at large into the arguments upon that subject, partly because it did not necessarily form a part of the real question now before the House, and partly because there would soon be afforded another opportunity of discussing that topic. He certainly felt that, upon that subject, there was not the satisfaction, or the security to Europe that could have been wished, or might have been once expected; but it did not thence follow, that any blame was imputable to the late Ministers for their conduct in the management of the war; nor did it follow, there was any blame imputable to the present Ministers for the conclusion of Peace. The question of war or peace, could only be decided by looking at the alternative of peace or war, by looking at the advantages and disadvantages of both, for there were advantages and disadvantages to both, and making a choice between them; and he did think, that whatever might be the security of Europe at this time, there was, at the time of making peace, no chance whatever of Europe being placed in a better state of security, by this country refusing to make peace. He thought the peace, under all circumstances,

circumstances, wise, not only for our own security, but for the security of the rest of Europe; for it was the interest of all Europe, that we should husband our resources and keep ourselves entire, and not to waste our strength upon that pursuit which, under all circumstances of the contest, was not likely to be very useful, either to Great Britain or the rest of Europe in general. He thought the state of Europe was not so secure as could have been desired; but when he came to think of the advantages and disadvantages of peace and war, and compared them together, there was not much room for doubt remaining with him as to the course which this country ought to pursue. He was, however, willing to admit there was uncertainty in all opinions respecting future events—human opinions of the future deserved no better title than conjecture; the best formed of them frequently turned out to be ill-founded. He had seen when peace was talked of as a blessing likely to be enjoyed for many years, war broke out of a sudden. And when states were threatened with a long continuance of the calamity of war, peace was brought about; and he had read in history, of instances, when war was thought to be inevitable, a long and uninterrupted peace was enjoyed. He was not stating this by way of endeavour to diminish the comfort of the prospect of security to a nation for the continuance of peace, nor to say that the thing was not always matter of great consideration. On the contrary, he thought it a thing which we could never forget, and it was an object which we ought never to lose sight of in the consideration of peace and war. The use which he intended to make of it was, only to remind the House how very inconclusive all reasoning of this kind must in its nature be. Now, as to the other part of the observations of the honourable Gentleman on what he had said on the relative or comparative situation of this country and France, he would not enter into it at large at present. He was prepared however, to maintain, that there never was a period in which the maritime and commercial strength, the colonial strength of Great Britain, when compared with that of France, was so great as it was at the present moment; nor was there ever a period in the history of the two countries, when the means of increasing all these powers were in so advantageous a condition to Great Britain, and so much superior to that of France, as at the present moment. This he only asserted now, professing, as he felt, a readiness to argue it hereafter. The honourable Gentleman had then gone into the conduct of the war, and he had enumerated what he considered failures, and certainly some

some events deserved that name, for certain expeditions had failed of their intended objects, in the course of the present war. That they had done so, neither he nor the honourable Baronet, who had spoken on the same side (Sir H. Mildmay), attempted to deny; but when expeditions were undertaken they must be so, under considerations of success and of failure; for among the wisest expeditions that were ever yet attempted, however skilfully they may have been devised, whatever knowledge, or whatever valour there may have been found in the officers who were to execute them, and whatever readiness there may have been in the troops to obey orders, still there must be some, nay many failures; but he would say, that as far as regarded the separate conduct of this country, there never was a war which was more eminently successful; there never was a war in which more was acquired by us—and what was acquired, contributed more to the credit or the valour of our fleets and armies; or gave a better proof of wisdom in council than the present war exhibited. He believed that this was the first war in which no British colony had been wrested from the British crown—where we were so triumphant in the West and in the East—in the Mediterranean—in every quarter where the British force had been separately employed—in all which the British force had been eminently, and in every instance successful; and he contended it was impossible for the House to consider of these things without not only admiring the skill and valour of the British force, but without also paying a tribute of praise to the wisdom of the council by which they were devised. To say, that there had been no failure in any plan, was what he had no intention to do—no man ever could assert such a thing of any war; still less was it to be expected in this war, which was, on many accounts, the most extraordinary war the world ever saw—but what he insisted upon was this, that if we looked at the result of the efforts of the British force, when separately exerted, there never was a war so brilliant as this had been to Great Britain. As to the other powers, he should not at present say much; but if the conduct of any Administration was to be tried in the course of a great war, it was not fair to try them on those exertions which they had not the whole conduct of themselves, but in which their efforts were in conjunction with others, and where, from the very nature of the thing, they had only a subordinate part to perform: and yet, it would appear, that even in this view of the matter, if other powers had been as true to themselves, as we had been to ourselves and to them, there

there would have been less failure than there had been, and no fault was to be imputed to the Government of this country on that account. The honourable Gentleman had adverted to the financial state of the country in the course of the present war, and to the conduct of his right honourable Friend, in that part of the war in which he should have expected he would have met with the approbation of every man in this country, that of adhering to the system which had been adopted for the reduction of the national debt. The honourable Gentleman had said, that by this war, the national debt had been doubled—that might be true; but the national debt had been doubled by every war since the revolution. But when the nature of that debt, and of the taxes laid on, was considered, there would be found no blame imputable to his right honourable Friend; unless they could shew that the war could have been conducted with less expence than it had been: on the contrary, he considered this a proof of the merit of his right honourable Friend, not because the debt was so great, (that was matter of regret to him and to every body) but because the burthens to support this debt had been so laid on, as to affect in so slight a degree only, the commerce, the prosperity, the comfort, and the domestic happiness of the people of this country. He did not mean to say that burthens were imposed without affecting, in some degree, the domestic happiness of the people of the country, that would be impossible; but he said they had been laid in such a manner, as that no person beforehand could have conceived to be possible, and for which reason he would undertake to say his right honourable Friend deserved praise instead of censure, upon this occasion. It should never be forgotten, that there was a prodigious difference between this country and France; he had, indeed, always thought there was a great difference between a country acting under a revolutionary government, and one that acted upon regular and established principles; and that in a contest, the advantage, in the way of finance, was greatly in favour of that country which was acting under a revolutionary government, while the contest lasted; because a revolutionary government had no rules to check its career in the way of property, they laid hold of it wherever they found it; whereas a regular government must regard property as sacred, and would touch only according to the rules of law; and in doing this, and at the same time paying large sums sufficient to support such a contest, without materially affecting

ing the happiness of the community, was a task which required very great and very rare talents. It was, indeed, that wherein the excellence of a Minister chiefly consisted. His right honourable Friend had done this, and for which his talents must be admired, and the manner in which he had exerted himself was a fit object of praise. With regard to that part of the honourable Gentleman's speech which related to the sinking fund, he confessed himself to be surprised that he should have endeavoured to detract from the merit of his right honourable Friend in that particular. The plan for that purpose was wise, but it was not the wisdom of the plan that he so much admired, although that was great, as the determination to persevere in it under all the circumstances of the most extraordinary war, which was indeed a most admirable perseverance. If this plan had been adopted soon after the period when our national debt commenced, and persevered in as his right honourable Friend had done in this, we should, at the commencement of each war, have had little or no debt upon our hands. Let Gentlemen consider what was the situation of this country at the American war, how we had not only a debt increasing, without hope of reduction, but which, of itself, tended to diminish our capacity to bear our other burthens, and was the subject of observation in other countries who wished to see our prosperity diminished; but his right honourable Friend had the merit of adopting, and the still greater merit of adhering to the system, by which the whole debt now standing against us will be annihilated in half the time it had been accumulating, from its commencement to the present time. This, under all the circumstances of the last most extraordinary war, he considered as very extraordinary merit in his right honourable Friend. There were some other points on which it was impossible for him not to say a few words, because they were points, the consideration of which gave a strong inducement to him to agree to the motion made by his noble Friend; he meant chiefly the means adopted for the internal security of this country. Now, whether the war was necessary or not, was a question which he need not now argue, it had been often decided by that House; and he believed, that at this moment, not nine-tenths of that House, but also of this country, were not only of opinion that the war was just and necessary, but also that the internal peace of the country would not have been preserved, nor could we have been able to contend with the difficulties which the French

French revolution imposed upon us, if these measures had not been adopted. No man regretted those measures, or rather the necessity of them, more than he did, for he should always regret the necessity of laying any restriction on liberty, as it had been recognized by our ancient constitution; but it was the practical excellence of our constitution, that it had the means of applying temperate remedies for evils as they arose, and that was one reason why we had in reality so much liberty in general. In a country which did not possess the power of laying temporary restraints on liberty, it was impossible to have much of it at any time, because, whenever a state became endangered by the excess of liberty, without the means of checking that excess, such a state must be overturned; but a power of checking it on an emergency enabled us to have liberty to its utmost extent at other periods. It was owing to this, that provision had been made to check the spirit of jacobinism in this country; and this gave due encouragement to those who were of sound principles, for they saw they were protected. The effects of this were visible last year; a year of scarcity, with many circumstances of calamity besides, which he need not enumerate, but which served to shew the general loyalty of the people of this country; and if the laws which had been enacted to check the spirit of jacobinism were severe on a few individuals, they deserved it; and the mass of mankind considered these laws as protection to the loyalty of the people, and the preservation of their constitution. The noble Lord then proceeded to take a view of the Union between Great Britain and Ireland, and made many excellent observations on that great event, which made an important feature, he said, of the administration of his right honourable Friend, and for which he deserved the highest commendations; which had already produced many good effects, but which posterity would regard with admiration, astonishment, and gratitude to its authors. Under these circumstances, his Lordship said, he felt himself called upon, by a sense of duty, to agree to the amendment proposed by his noble Friend, a motion which did not originate with him, but which was made necessary by the speech of another honourable Gentleman, and he thought the House, for its own consistency, was called upon to agree to this amendment of his noble Friend.

Mrs. Pole spoke in favour of Lord Belgrave's amendment. He ascribed to the late Chancellor of the Exchequer the merit of having saved the country from the dangers with which

it was threatened from French principles. These were now extinguished in England, an effect to be imputed to the war, and the measures of precaution adopted by Administration. In Ireland the peace had tended greatly to discourage the disaffected, because it deprived them of the hopes of foreign aid. He enumerated the great exploits of the army and navy in every part of the world, under the auspices of the late Administration:

Mr. Fox began a most able and argumentative speech with expressing his embarrassment as to the mode of treating a question which presented itself in such various shapes. He reprobated the mode which the noble Lord had adopted of engrafting an amendment so totally different from the original motion. It was no less contrary to the orders of the House, and the regularity of proceedings, than contrary to reason. Instead of directly negativing the original motion, the noble Lord, with a dexterity which, if the phrase could be permitted, might perhaps be styled a sinister dexterity, contrived to introduce an amendment for the purpose of obtaining a priority of vote. It was thought, perhaps, too, that to praise by name the late Chancellor of the Exchequer might not be agreeable to certain descriptions of men, and therefore the general lumping amendment was proposed, by which army, navy, (already repeatedly and justly thanked by the House) and his Majesty's councils were praised: and, in fact, a general edict of praise was to be issued. The House itself was to be complimented, and the same delicacy observed by the principal Members of the late Administration, in withdrawing from a motion to thank themselves, was to be followed. The representatives of the people must be placed in a very awkward situation, in being called upon to vote their own thanks, and in apportioning their own share of this general piece of flummery. As to the motion of the learned Gentleman, many of the remarks with which it was prefaced were extremely just and pertinent, but, nevertheless, he could not think of giving that motion his vote. He could not vote an address of thanks to his Majesty for dismissing the late First Lord of the Treasury, till he actually knew that he was dismissed. Rumour represented the transaction in a very different light. If it was true that Mr. Pitt resigned because he was unable to carry into effect the plan which he deemed necessary for improving the situation of the Catholics, then, however hostile in other respects to the measures and principles of the right honourable Gentleman,

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he should bestow the full share of merit upon that conduct, and say, that "nothing in his Administration became him like the leaving it." If Mr. Pitt and his late colleagues did find themselves thwarted in so great a measure, they acted honourably and constitutionally in quitting their official station. He should have been much more disposed, indeed, to give them credit for their motives, had they appeared in Parliament, and justified the step by declaring its motive; nay, by moving in the House (the place indeed where, by the theory of the constitution, which we ought never to lose sight of, such a measure ought to originate) that the plan of civil and religious liberty, no less recommended by justice than by policy, should actually be carried into execution. By such a mode of proceedings, it would have been found whether there was any foundation for the reports of any dislike to the measure in the Royal breast; for it was to the last degree unconstitutional, and unworthy of an independent Member of Parliament, to presume that any such obstacle could exist to a measure of wisdom and policy. It might be thought, indeed, that without the concurrence of the Executive Government, there was little chance of success to a plan of this kind, brought forward against its inclinations. Such a supposition, however, implied a most undue submission in Parliament to the will of the Executive Power. But he did not think that a measure so brought forward would have ultimately been unsuccessful. At any rate, if those who resigned were seriously actuated by the motives assigned, they ought to have transferred to their successors the responsibility of opposing a plan which they had deemed of so much public importance. The second amendment was at least more candid and manly, and he preferred it to the mere palaver of the first. But with what propriety or grace could the House return their thanks without enquiry? Some disasters were admitted to have attended the war, and the House never thought proper to enquire. What would be thought if they proceeded to vote praise without any attempt to ascertain and demonstrate the justice of it?—The present Ministers have given us peace, and he gave them thanks for so great a blessing. But what were the terms of peace? Very strong and very well founded objections were urged against the terms: he saw and acknowledged their weight. The only justification of the peace must be that the country was reduced to a situation when, in comparison of the war, this peace was good. But if the

situation of the country was such as to justify a peace, in itself very objectionable, was it not evident that praise could not, on the face of things, be voted to those Ministers who had brought the nation into such a state? Many of the former Ministers see the matter in this light. They see that they must either blame the peace, or tacitly censure their own conduct, that reduced the country to such circumstances as alone could justify it. They are perfectly consistent at least. Though Lord Grenville is a man, said Mr. Fox, with whom I differ so widely in many things, whose answer to Bonaparte's overtures I have ever censured, I must admit that he has taken a firm and manly part on this occasion: He is a man of great ability, and the ground he has taken in discussing the treaty of peace is dignified and consistent. He knows that if the country was not in a situation of comparative difficulty, the peace could not be defended. He justly says to us who are called Jacobins, and to the present Ministers who made the peace, and those who supported them, who are a sort of half Jacobins, "You may say that the country was in a situation of distress or of embarrassment, we deny this conclusion, and we contend that we know that the country had resources to carry on the contest, and that war was preferable to such a peace." This language is held by Lord Grenville, Lord Spencer, the late Secretary at War, and it is supposed that Lord Rosslyn entertains similar opinions. What are the sentiments of the late War Secretary on the subject has not yet appeared, as he has been so little in the House since the peace took place, a reproach which, from me, who so frequently incurred the rebukes of that right honourable Gentleman, (Mr. Dundas) may appear unbecoming, though I may be allowed to seize this opportunity of returning the accusation of the irregularity of my own attendance. So far it was evident, at least, that several Members of the Cabinet were not mere stop-gaps, as seemed to be insinuated, for such men as Lord Grenville, Lord Spencer, the late Secretary at War, could not be supposed mere nominal Ministers, under the controul even of Mr. Pitt. These men were at variance with the latter on the subject of the peace; it was absurd to vote thanks to Mr. Pitt, with the inference that all the Members of the Cabinet, however differing in opinion from him, were to be comprehended. Mr. Fox then proceeded to consider and contrast the situation of the country as the late Administration found, and as they left the country. He contended that this country was the

the aggressor in the war, because the usual and proper steps of negotiation were not used to prevent the war. If it was true, as Lord Hawkesbury had observed, that the ground taken at the beginning of the war was not broad enough, at least those who undertook it ought to have made up their own minds on the subject, if they did not declare it, because that was necessary for the proper conduct of it. If the war had been to keep the Scheldt shut, to drive the French out of Belgium, and to defend Holland, objects of the utmost importance to this country, they might, in that case, have told France that we took Martinique, or any other foreign settlement of France, in order to induce her to desist from these pretensions. If, however, the "moral effects" of the Revolution and the object of setting up some better form of Government, whether the throne of the Bourbons, or some other regular Government, were the objects, how could we expect assistance from any honest Frenchman, when we began to take Martinique and Dunkirk for ourselves, Valenciennes for the Emperor, and other advantages for Prussia? This showed that our intention was not to improve the Government of France, but to take the opportunity of new distractions to pillage and partition her territories. As the war was conducted, the means employed were applicable to neither of their objects, so that it was impossible we could be successful. But, it was said, that the present Government of France was better. Granting that it was, at least it was not the effect of the war. The war prolonged the reign of the monster Robespierre, because Frenchmen, from a laudable feeling, which, in some cases, might be carried too far, thought not of their domestic tyrant, but looked only to the English and Austrians by whom they were assailed. The ways of Providence are inscrutable, and the means by which its ends are brought about beyond our investigation. The fortune of Bonaparte had been conspicuous, and, along with his great and extraordinary qualities, had smoothed his way to eminence. Among the circumstances by which he was favoured, might be classed the treatment he had received from the British Government: but if Ministers, like Lord Hawkesbury, were to claim the merit of having brought about that better form of Government in France under Bonaparte, this would be the first time that the alliance of the British Government with Bonaparte in the attainment of his power was admitted, though most would agree that, in fact, he had important aids in the incapacity, the folly, and the intemperance

intemperance of our Ministers, of which he had prudently availed himself. Mr. Fox then went on to show, that at the beginning of the contest had Maret been treated with, we might have had peace on the most advantageous terms. Holland, Belgium, &c. would have been saved, and then would French principles have been more dangerous than under the extended dominion of Bonaparte? With respect to the danger of French principles, he thought it never was great: in considering it, the noble Lord should have shown that diffidence in mere general reasoning, which he had so wisely and modestly recommended. It certainly was extraordinary, that the milder infections of this country should have been cured by war, when the most violent stage of the malady, in Ireland, was universally admitted to have been more remedied by peace than by any thing else. Mr. Fox then commented with much humour on the phrase, that the country had been resigned under the war, and disinterested in the support of it. That they were resigned to a war, which, from the joy at peace, and other proofs, it was evident they disapproved, he thought no great compliment; disinterested they had been, for they had made the greatest sacrifices, and suffered the greatest inconveniencies for no valuable end or object whatever, a circumstance which implied no great compliment either!—If they had continued happy and contented, it was not because, but although, they had been taxed in their property and curtailed in their rights. Mr. Fox then showed the gross injustice and falsehood of the assertion, that the last war was new in its nature and its dangers. He demonstrated that the danger of the House of Stuart, of arbitrary power, and of popery, were very real, that their objects had been notoriously combined with every war since the Revolution, except that of seven years; that when Lord Bolingbroke and Ormond were abroad with the Pretender, and Sir W. Wyndham, with many others of note and property, were engaged in the Stuart cause, then was real danger; besides actual rebellion in 1745. It was pretended that property was in danger now; but would not the Jacobins have confiscated the property of those who adhered to the House of Hanover? Then the Habeas Corpus might have been suspended; but the persons lately exposed to its operation were obscure people, without property, consideration, means, or even zeal. It was absurd to suppose that a revolution could begin with such people. These Catilines, from whom Mr. Pitt pretended to have saved the State, were
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not of the rank of the Romans, they had not arms actually in the field, nor any thing like their resources. All history, even that of the French Revolution at its commencement, showed that it was with men of property, influence, and reputation, that they must begin. To pick out obscure, nameless individuals as dangerous, was a mockery, and could be done for nothing but wanton oppression, or to excite fanciful alarms. As to the argument, that the disaffected now were more formidable from their want of property, he could not see that want of property conferred any superior ability or means for the execution of turbulent and destructive designs? Mr. Fox then demonstrated that all the great States of Europe had escaped the ravages of jacobinism, as well as us, and that the Ministers of Prussia and Austria might equally claim the thanks of their respective countries; that it was only the small States, not the great ones, that had been subdued, and that too by arms. It was the spirit infused into France, the universal military ardour excited by unjust confederacy, that had enabled France thus to overrun so many States. He shewed that during the confusion of the civil wars in Charles the First's time, other nations had not attempted to make war against us on the pretext of the principles which then prevailed here. He reprobated the impious and blasphemous pretence of fighting for religion, social order, &c. when, after various negotiations, mere terms only were discussed, and these venerable names were merely usurped to colour the cause and to inflame the passions of men. Mr. Fox then considered the superior advantages of our situation for negotiating with weight in 1800, and dwelt with much severity on the insolent, insulting letter of Lord Grenville. Alluding to Egypt, of which Lord Hawkebury mentioned the French being in possession, in 1800, Mr. Fox paid high compliments to Sir Sidney Smith, both as an officer and negotiator, and said, that if the French had Egypt, it was because we compelled them to remain there. He afterwards ridiculed, with great success, the unexampled attempt to bolster up a Minister's reputation by a vote of thanks. He said that, in future times, people on finding a vote of thanks to a Lord Chatham, (who must be included) would certainly conceive it to be a mistake of the date; and set down 1762 for 1802. He likewise ridiculed the *qui pro quo's* that would arise from confounding William Pitt the son with William Pitt the father. He next took a view of the late Minister's financial system, and strongly

64 WOODFALL'S PARLIAMENTARY REPORTS. [COMMONS,
 strongly reprobated the income tax. Adverting to the encroachments on the constitution, he admitted that occasions (to be carefully watched, however) might justify temporary abridgments of liberty, but, if the rights of the people were to be lightly taken away in every war, and on flimsy pretexts, not a shadow of freedom would remain. He touched with great force on the state of Ireland, when insurrection, ready to burst forth, was subdued by such severities. He admitted that cruelties had disgraced both parties, so that it was difficult to say which inspired most horror—the atrocities, in some cases, of the insurgents, or the cruelties with which they were suppressed. He showed the evils that had arisen from the recall of Lord Fitzwilliam, and asked if the late Minister was to be thanked both for sending and recalling him? He expressed, in strong terms, his horror at the use of torture to extort confession, and his astonishment that, in an age like this, torture should be justified by grave and learned characters. He said that the terms of peace were in themselves very alarming in many respects, but this he ascribed to the war. No man could view the aggrandisement of France without dismay and anxiety. The war too had destroyed that connection with the continent, and influence in Europe, which, well understood and applied, was of so much importance. As a Whig, he could not but lament the change. The system of the advisers in this reign had produced two great catastrophes; the separation of America, by straining power too close, and the dissolution of continental connections, by improperly directing it to the purposes of pillage and plunder. This was because the system never contemplated any thing but the extension of power, and totally overlooked or opposed the interests of liberty. After many other observations, he concluded a speech that equally delighted the House by its weight, and enlightened by its argument, with saying that he could neither support the original motion nor the amendment.

The *Chancellor of the Exchequer* spoke in reply to Mr. Fox, and to clear up some points under which he appeared to be in an error. In respect to Mr. Pitt's going out of office, the fact was he had resigned, and from motives which, though not necessary to be explained, were influenced by a deep and honourable sense of public duty, such as had ever actuated his right honourable Friend. He was personally witness, that no act of his life ever occasioned such remorse and deep regret as the necessity he found himself under to resign.

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The motion now brought forward was not the original intention of his right honourable Friend, but arose from the repeated attacks made on the late Administration from the other side of the House. The motion did not require the unqualified assent to every measure of the late Administration, as it avoided the minutiae into which a different proposition might have led. It was a motion of approbation in the lump, without specifying particular measures. He then adverted to what had been said respecting Monsieur Maret's overtures to this country in 1793. He believed he himself was very zealous to accommodate matters, but the truth was, he had no powers to negotiate, and was not therefore attended to. He then took a review of the negatives given to the overtures of Mr. Wickham and other persons, and assured the House of the very deep regret felt by Mr. Pitt at these repeated failures. He never saw affliction more keen, or distress more visible, than in the mind of his right honourable Friend, on being obliged to continue the war. He should not make those observations, but as his sincerity was called in question, he must expose recesses which would otherwise remain hidden. He declined entering into the general conduct of the war, as it had already been sufficiently touched upon. He extolled the great services of our army and navy, and of those who had the superintendence of their services. In regard to the financial operations of the late Chancellor of the Exchequer, it was owing to his consummate abilities, and comprehensive mind, that the war, which had been undertaken for the destruction of our property, had terminated in a manner so favourable to our resources as a commercial nation. He hoped the opinion of the utility and wisdom of the income tax would survive its being withdrawn; it was to that alone that was to be attributed the high value of our funds, and the advantages which stockholders enjoy. He did not believe the frauds in collecting it so great as had been supposed. On the whole, the conduct of the late Administration had done every thing to give security to the people, and he should feel himself very forgetful of the transactions of the last nine years were he not to concur in voting for the amendment.

Mr. W. Smith spoke against the amendment; and endeavoured to shew the impropriety of the proceeding.

Mr. Foster followed on the same side, and asserted there would be an inconsistency in those Irish Members voting for

the amendment who had disapproved of the Union, which had been carried by the most improper means.

This called up Lord *Castlereagh*, who said he could not tamely sit by and hear such fallacious insinuations. The Union would stand on its own ground, and was not to be shaken by side winds and unfounded aspersions on individuals, who had sacrificed so much in bringing it about. He drew the most favourable augury from every thing he had seen of it.

Mr. *Foster* again asserted, that what he had said was not an insinuation, but a positive charge of the most corrupt practices, which he was ready to prove.

Mr. *Tierney* took advantage of this difference to observe, that here was another ground for the House not to acquiesce in the amendment. A Privy Counsellor of Ireland had broadly asserted charges of corruption against the late Ministers. If this vote should pass, the present Chancellor of the Exchequer might think he was Minister of the country, but he could assure him he would no longer be so, since the present motion was intended to bring back Mr. Pitt to the King's councils. It is said, by some persons, he was dismissed. If this were the case, what a reflection on the royal prerogative to bring forward such a vote. If he resigned, the amendment would seem to insinuate that the royal authority acted wrong in refusing to listen to his salutary advice. How will this vote bear in respect to the spirit of conciliatory measures now asserted in regard to France? How would the present Ministers feel, if the first work of the peace were to erect a statue in France in honour of *Marat* and *Robespierre*? How might the French Government think, if we voted so immediately such a fulsome panegyric on a person so obnoxious to them? It was a wanton act to drag the House of Commons through mud and mire to bring back the late Ministers against the King's will.

The Attorney General replied, when the question was put, "That these words stand part of the motion." Ayes, 224. Noes, 52; Majority, 172.

The motion, as amended by Lord Belgrave's proposition, was then carried on a division. Ayes, 222, Noes, 52; Majority, 170.

On Sir Henry Mildmay's motion, "That the right honourable William Pitt, by his pre-eminent services to the country, has deserved the thanks of this House," a long conversation arose.

Mr. Fox moved, That the names of Lords Grenville, Roslyn, and Messrs. Dundas and Windham, should be added to that of Mr. Pitt in this motion, as they were his colleagues in the conduct of the war.

Mr. T. Grenville considered this amendment as not seriously meant as a mark of respect to his right honourable relation:

The Chancellor of the Exchequer expressed a wish that the honourable Gentleman would withdraw his amendment.

Mr. Fox declined it, stating, that inasmuch as the House so warmly approved the war, those men who clung to it with so much fondness, were as well, if not better entitled to the thanks of the House than the right honourable Gentleman who deserted it. (*A laugh.*)

Mr. Fox's amendment was negatived without a division.

Mr. Grey then moved that these words should be added after "the country"—"By which means the present Administration has been enabled to procure a safe, honourable, and glorious peace."

Lord Temple immediately expressed his resolution to oppose this amendment. (*A laugh.*)

It was negatived without a division.

Sir Henry Mildmay's motion was then put, Ayes, 211, Noes, 52; Majority, 159.

LIST OF THE MINORITY.

Sir J. Aubrey

R. Adair

J. Brogden

G. Barclay

G. Byng

Hon. E. Bouverie

Hon. W. H. Bouverie

Lord G. Cavendish

H. C. Combe

Sir L. Copley

J. Calcraft

J. C. Curwen

W. J. Denison

Hon. T. Erskine

Lord Folkestone

Hon. C. J. Fox

Right hon. J. Forster

M. Gorges

J. Harrison

J. Hare

H. Howard

J. Jekyll

J. T. Jones

N. Jeffries

Sir W. Lemon

Colonel Lemon

J. M. Lloyd

Sir W. Milner

D. North

J. Nicholls

Colonel Porter

Right hon. W. Ponsonby

J. Ponsonby

J. G. Phillips

Lord W. Russell

J. Richardson

M. B. Robson
 Sir M. W. Ridley
 Lord R. Spencer
 C. W. Stewart
 Lord Stanley
 R. B. Sheridan
 G. Shum
 C. Sturt
 Hon. St. A. St. John
 Sir Marcus Somerville

Sir Gregory Page Turner
 Hon. H. Tufton
 G. Tierney
 C. C. Western
 Hon. G. Walpole
 S. Whibread
 Sir Ed. Wennington
 Tellers { Hon. C. Grey
 { W. Smith

HOUSE OF LORDS.

MONDAY, MAY 10.

One bill for a grant to the University of Cambridge received the royal assent by commission.

The bills on the table were severally read.

The Earl of *Suffolk* said, as he saw the noble Lord near him, who had the other day given notice of his intention to move a vote of approbation of the conduct of his Majesty's late Ministers in their conduct of the war, on the same day on which the noble Lord opposite to him (Lord Holland) should bring his promised motion respecting the conduct of those Ministers—he begged, therefore, to enquire of the noble Lord, if he persisted in his intention, and what would be the nature of his motion?

Earl *Graham* (Duke of Montrose) said, the noble Earl was mistaken totally, since he had given no notice of his intention to make any motion, but on hearing the noble Lord opposite to him, give notice of his having it in contemplation to move a vote of disapproval of the conduct of his Majesty's late Ministers, he had observed that when the noble Lord did make any such motion, he might, perhaps, think it right to move for an approval of their conduct. It was impossible for him to say whether he should move at all on the subject before he had heard what the motion of the noble Lord and the grounds of it were.

Lord *Holland* said, he did not mean to lead the House into a debate unnecessarily, but it appeared to him that it would be better for the noble Lord to make his a separate and distinct motion, as whether he should move at all or not, must, as he had said on a former day, depend upon the vote come to by the House when they took the definitive treaty into their consideration. He could therefore give no other answer as

to his intended motion, than that it would grow out of considerations resulting from the nature and effect of the conditions of the peace.

Lord *Rolle* expressed his hopes that the noble Duke opposite to him would persist in his intention, and move to approve the conduct of his Majesty's late Ministers, to whom the country was, in his opinion, highly indebted for their eminent services. If the noble Duke should not think proper to make a motion such as he had stated, he would himself bring forward some proposition of the same sort.

Lord *Hobart* said, he found upon enquiry that it would be impossible to lay upon the table the account of the amount of the territorial and commercial revenues of the island of Malta, which the noble Earl opposite to him (Earl *Spencer*) had moved for; but all that was in the power of the King's Servants to lay before the House was, an account of the amount of the territorial and commercial revenues up to the year 1798, which was the account of them which Sir *Alexander Ball*, after the most full enquiry, was at that time able to procure. If the noble Earl had no objection, he would move to have the order discharged and make a new order for the account which he had just described.

Earl *Spencer* said, most certainly if no other account could be had, he must be content with that which the noble Secretary of State for the war department had described.

The order was discharged and a new one made.

PAPERS RELATIVE TO PORTUGAL.

Lord *Holland* rose, and after declaring that he concurred with the noble Lord below him (Lord *Grenville*) in lamenting that so early a day was appointed for taking into consideration the definitive treaty, because the short interval previous to the general discussion of that treaty, was not sufficient to allow time enough for noble Lords to move for all the information necessary to enable the House to discuss the merits of the treaty as they ought to be discussed; yet of this he was satisfied, that the interim could not be more usefully employed than in bringing different parts of the treaty under consideration, and calling for such papers respecting them as would be most likely to throw a light upon each. Under this impression it was, that he meant that day to lead their Lordships' attention to one very important branch of the subject, viz. that respecting the situation to which our old and constant ally, the Queen of Portugal was reduced by the definitive

tive treaty, and the causes which necessarily led to that effect. That part of the treaty which related to the Prince of Orange, had been two days since pretty much discussed, but when he considered the argument now used by some noble Lords respecting that Prince, and that which the same noble Lords had urged during the war, they were not very fair, or at all consistent with each other. It was contended, while we invited Holland to go to war, it was not acting in a very friendly way by the Dutch and the Prince of Orange, to force them into a war in which they did not wish to be engaged; and the answer then given was, "Yes, it is right we should lead the Prince of Orange to wage war; it is for his good that he should do so." Whereas the argument now was, "The Prince of Orange had continued faithful to his engagements to this country; he had sacrificed every thing to our interests."—Noble Lords were not entitled to have the advantage of both arguments. But however, he ought to apologize for thus deviating from the main object of the motion, he should conclude upon that point, and would say no more about the Prince of Orange. A noble Lord below him (Lord Grenville) had said on a former occasion, a few nights since, that the good faith of the nation publicly pledged, ought in the different views of the treaty that might be taken, to be held as the first, the most important, and consequently the paramount consideration of all, for that territories might be acquired, resources recruited, and power restored; but that public honour once forfeited, could never be redeemed. This pithy, pertinent and just declaration applied immediately to the articles of the treaty to which he wished that evening to draw their Lordships' notice. His object, he said, was to have it ascertained with whom lay the blame of Portugal being now placed in such very disadvantageous circumstances as she was certainly in, in consequence of the treaty of Badajos. This treaty gave the French an entire command over her American possessions. He was inclined to think that the present Ministers were altogether not to blame; their predecessors in office had reduced Portugal to a state which necessarily brought about these distresses. The treaty of Badajos was the almost unavoidable consequence of the breach of the treaty of El Arisch. The latter, which was also accompanied with a breach of faith, obliged the French to retain possession of Egypt, and made it necessary for Great Britain to send away that army intended for the protection of Portugal, to drive them out of it. By that means

means Portugal had been left in a defenceless state; and what made this conduct still more glaring and unjustifiable was, the circumstance of Great Britain having placed that country in a situation of being attacked, by preventing her from agreeing to the treaty of peace which had been entered into at Paris in 1797. It was the duty of this country to have protected her old and faithful ally—but that was not done. The only thing done for her after the departure of the troops for Egypt, was sending her a small sum of money. This was a measure adopted by the present Ministers. When it came before that House, he opposed it, not on the ground, as had been erroneously supposed, of his reluctance to assist that power, but because he thought the sum infinitely too little, and that instead of affording the relief that was required, it would ultimately go into the pockets of Bonaparte. It was tantamount to a desertion of Portugal—it was the same as saying, “You are certainly in a very distressed situation, and we cannot remove the cause of it; but here is some money for you to drink, and don’t trouble us any more.” Let their Lordships weigh and compare the situation that Portugal now stood in, and that in which she would have been left, had the Government of this country permitted her to ratify the treaty of peace settled at Campo Formio, and signed at Paris between the Plenipotentiaries of her Most Faithful Majesty and the French, on the 10th of August 1797. It would be impossible for the House to decide upon the merits of the definitive treaty in regard of Portugal, without comparing the treaty of 1797, which this Government had prevented from being ratified, with the treaty of Badajos, which was now to be held good. His Lordship said, he understood there was no other material alteration between the treaty of Badajos and the treaty of Madrid, than what merely related to the French limits of Guiana. [Lord Pelham shook his head.] His Lordship explained the nature of the alteration he alluded to, and spoke of a natural canal, which, during some parts of the year, passed from out of the river Arawari into the river of America, and that canal was navigable, and it might in time of peace enable the French to carry on an advantageous smuggling trade with the Portuguese in their division of Guiana, while in time of war between the two nations, the French might float their gun boats down it, to the great annoyance of the Portuguese. Having just noticed this, he said he should ultimately conclude with moving an humble address to his Majesty, to beg his Majesty to give orders for
a copy

a copy of the treaty of Paris, signed at Paris on the 10th of August 1797, between France and Portugal, as it had been communicated to his Majesty's Ministers at the time. His Lordship discussed at great length the conduct of the late Ministers in having restrained and prevented Portugal from ratifying that treaty; and contended that to them and their conduct of the war, the 7th article of the definitive treaty was imputable; it was not, therefore, the conduct of the present Ministers that was to be called in question for the condition to which Portugal was reduced by their predecessors; they set about the great work of peace the instant they could accomplish it, and the treaty was not to be condemned, if it was not so good as might have been hoped for; it was sufficient for them to have done the best that they were able to perform under the lamentable circumstances in which their predecessors had placed the country; and when he confessed this, justice to them, he owned, obliged him to confess it, and not partially; he did not by any means approve the principles upon which they came into office, nor the whole of their conduct since. His Lordship compared the treatment of Portugal by his Majesty's late Ministers, and the ruinous effect of it, with the different effect of the measures adopted in respect to Portugal by the administration in the war of 1792. He did not think the merits of the definitive treaty could be sufficiently discussed, unless there were documents before the House to shew what were the real causes of Portugal being placed in the distressed state she now was in. He would therefore move; That an address be presented to his Majesty, that he be graciously pleased to give directions to lay before the House, copies of all notes or other official documents which passed between Government and the court of Portugal, relative to the treaty between France and Portugal in the year 1797; and also those which related to the treaty of Badajoz.

Lord Pelham said, he could assure the noble Lord that any information he could consistently with his duty, communicate, he should be perfectly ready to give; but some better ground ought to be laid before the House, in order to justify suffering an address to go to his Majesty for papers which referred to a negotiation between two foreign powers, at a former period, to which negotiation this country was not a party, many of them were private confidential communications, which it would be highly improper to be made public—particularly so, when it was considered that they must contain language and expressions concerning France, with
which

which we were then at war, that would not be fit to use towards a country with which we were at peace, he must therefore give his negative to the motion.

Lord Grenville said, the noble Secretary of State acted wisely and well in not acceding to a motion for an address for papers of a confidential nature, relative to a negotiation between two powers to which this country was no party. It would be in the highest degree indiscreet to grant such papers, nor could they be laid before the House without an absolute breach of the oath of the King's Servants; but if they could have been laid before the House, the noble Lord behind him would have seen that the greater part of the facts on which he had built his arguments against the last administration were erroneous, and that so far from their having forced Portugal into the war, they had done all in their power to prevent it, and to keep Portugal neutral. That she had remained perfectly neutral for some time, and to enable her to do so, the British Government had forborne to expect her to fulfil any of her engagements to this country that in the least stood in the way of her neutrality. With respect to the treaty of El-Arisch, he had only to observe, in reply to the charges of the noble Lord, that as soon as ever the official account of the signing of that treaty was received in this country, orders were sent out for confirming it.

The Earl of *Suffolk* rose to reply to the latter assertion of Lord Grenville, and said, that to his own knowledge he could take upon himself to declare, that if his Majesty's late Ministers had not received an official communication of the convention of El-Arisch, so soon as the noble Lord would have it believed they had received authentic information of it, and a copy of its contents from Sir William Douglas, two months earlier than any orders were sent out for confirming it.

The Marquis of *Sligo* rose to take notice of an error into which he believed he had himself fallen, in respect to what the noble Lord (Lord Holland) had said on a former day last session, when the subsidy to Portugal had been voted. From the general tenour of the noble Lord's argument, he had thought the noble Lord was adverse to granting any subsidy to Portugal at all, he now found that the noble Lord meant merely to object to the smallness of the sum proposed. With regard to the difference between the treaty of Badajós and the treaty of Madrid, he spoke from certain knowledge, and could take upon himself to assert, that there was not only the

difference alluded to respecting the limits of French Guiana, but many other differences. With regard to Portugal's having been drawn into the war by us, the fact was, that this country had not been the means of engaging her Most Faithful Majesty in hostilities, she had furnished troops as an ally of Spain, for the defence of Roses, on the French invasion of the territories of his Catholic Majesty. As to the best means for this country to be of service to Portugal, he could tell the noble Lord that the best means of affording assistance to Portugal, was, for this country to maintain her own honour, her own dignity, and her own independence. There was not a good and intelligent Portuguese in Portugal but would say, that when Great Britain did well Portugal would do well also. As to the reduction of her dominions in Europe, about which the noble Lord seemed to feel so much, he could assure him, the Marquis said, that he might make himself perfectly easy, because the part of her home territory which she had ceded was of little value to her, and quite out of her power of protection or defence. The Marquis spoke to other matters respecting Portugal, which he could treat of from his own local knowledge and experience.

Lord Holland said, he was amazed that the noble Secretary of State should oppose the motion, which would afford so good a ground to justify so much of the treaty as related to Portugal. It seemed as if the support of some powerful party or individual was to be purchased at any risk to Ministers, who were ready to sacrifice all the materials of their defence sooner than lose that support. With regard to the difference between the treaty of Badajos and the treaty of Madrid, the noble Marquis near him had mistook him. He had not said, that there was no other difference but that respecting the French limits of Guiana, but that he believed there was no other material difference between the two treaties. Before he sat down, Lord Holland declared he should not take the sense of the House, but should nevertheless persist in his motion.

The question was put and the Non-contents had it.

ITALIAN REPUBLIC AND ISLE OF ELBA.

Lord Minto next rose to call the attention of the House to the two important points respecting which he had given notice, viz. the extraordinary circumstance of the First Consul of France having made himself sovereign of the greater part of Italy, and that during a negotiation for a general peace;

peace; and the obtainment of the possession of the island of Elba out of the hands of the Duke of Tuscany. His Lordship said, as he had no opportunity of speaking to the preliminaries of peace, because he was then absent at Vienna; he was glad to seize that occasion of delivering his sentiments respecting them. It was impossible for him to describe to that House the astonishment which he felt upon his hearing the first account of that preliminary treaty. There was not a single friend to this country in Vienna at that time, who was not also astonished; and whose grief and disappointment were not equal to their astonishment. But as the news came through the medium of France, he, and all Englishmen where he was, in common with himself, felt a momentary consolation in thinking that the event was another of the numerous fallacies which France had so repeatedly practised during the course of the war. It seemed to extremely strange that such a measure should take place, considering the glorious situation in which England stood, compared with the situation of most of the other powers of Europe; successful in the whole course of the war, impregnable at home, obtaining victory after victory by sea and land, she alone had stood the shock of the pernicious revolutionary doctrines and practices of France, while almost every other European power had either submitted to become the slaves and dependents of the French Republic, or were preparing to receive her chains. Her situation and character, therefore, stood so high in the eyes of all Europe, she was at once the glory of her friends and the envy of her enemies, who were ready to allow the pinnacle of glory she had acquired. What then must be his feelings respecting the present Ministers (to some of whom he stood nearly related, and had a great respect and esteem for most of them) when he heard, that while this country stood ready armed at all points to avert the threatened attack upon the kingdom by its inveterate enemy, supported by those powerful efforts and that high spirit of the people, which they would ever manifest when Government called upon them for their assistance. But in a short time his apprehensions concerning the disgrace and degradation of his country were too well confirmed. At the conclusion of every former war this country had maintained her high character, and preserved her independence: it was not until the present disastrous period that she suffered the enemy to dictate terms the most humiliating that ever any nation in similar circumstances had stooped to. It could not

be called a treaty of peace, it was more like a capitulation to a victorious enemy on the field of battle, than an agreement mutually entered into by two independent nations; and all this was done, not on a sudden, not in consequence of a panic occasioned by any unforeseen disasters, but after a negotiation that had been carried on near a whole year; and after a series of the most brilliant and important successes obtained by British valour on the ocean, and on the land, in several parts of the world. Could any man pretend to say that we were not more powerful than France in strength and resources; that we had not much greater means for carrying on the war, and that a peace far less disadvantageous had been called for by any circumstances of the country? When he said this he meant by no means to hold out that every article of the definitive treaty which had been signed, ratified, and exchanged, ought not to be religiously carried into full execution. The public faith must be kept, notwithstanding all the dangers and hazards which there was but too much serious reason to apprehend from the many defects of the definitive treaty. Great as had been his surprise, and indignation when he learnt the terms of the preliminaries—what must he have felt when he heard of the signature of the definitive treaty with very little alteration, notwithstanding the extraordinary and alarming transactions that occurred on the part of France between the signing of both these treaties? His Lordship said, it had pained him to see the sword taken out of the hands of one of the ablest generals in Europe, and the pen substituted instead of it. After most eloquently discussing the leading points to the signature of the definitive treaty, he came at length to the great matter on which his motion rested, viz. the First Consul of the French Republic getting into his hands the sovereignty of Italy, pending a negotiation with this country, and Spain, and Holland for a general peace. The first of the extraordinary and alarming transactions to which he had alluded, was the assumption of sovereignty over the greater part of Italy by Bonaparte. Perhaps it might be said, that such nominal sovereignty added nothing to the real power he had previously possessed over that country, called the Cisalpine Republic. In answer to this he would assert, that there was a material difference between the influence he could exercise in the one case, and the power which he could exercise in the other. Bonaparte well knew the nature of such a difference; and as he never did any thing without some strong and secret motive, it was to be presumed that he
had

had objects in contemplation which might not strike people at first view. Trifling as it might appear at first sight, the very circumstance of his changing the name from the Cisalpine to the Italian Republic, was something more than the mere adoption of one word in preference to another to tickle the ear; it was a stroke of policy meant to delude the understanding at the expence of another of the senses; it served to develope his plans, and furnished ground for alarm to all those who wished to preserve the integrity of the States of Europe. While that part of Italy retained the name of Cisalpine Republic, its title would be geographically inconsistent in any new extension of territory; but by the change of name, it was put into a growing state, and might by degrees comprehend all Italy. Like a child it was to be considered as possessing the faculty of entreasing in magnitude every day, and the new name might be compared to a child's garment, which some frugal parents have so contrived, that it could be made wider and wider as the child should grow up. He saw nothing now to prevent Genoa and the neighbouring States from becoming a part of this Republic; he saw nothing to prevent it from running along the whole peninsula of Italy, and then the name of Italian Republic would be more applicable than it was at present. He said no friend to Great Britain could entertain any other feeling on the occasion, than the warmest indignation at the contemptuous manner in which the country had been treated. His Lordship reprobated the whole of this transaction in strong and pointed terms, declaring that if it had been private altogether, it might be considered fraudulent, deceitful, and disgraceful; if it was to be regarded as public, it was a mixture of the foulest injury to this country, accompanied with the grossest insult, that ever was practised towards a great and powerful nation. It so happened that it was partly private and partly public. The motive of the First Consul's visit to Lyons had been a profound secret, a mystery was over it, nor was its true object ascertained till it became indispensibly necessary for the First Consul to avow in a public manner his having assumed the sovereignty of what had before been termed the Cisalpine Republic. It had therefore all the fraud and delusion of a private contrivance, and all the injury and insult of a public act of treachery. There was another event which took place between the signing of the two treaties to which his Lordship said he would call the attention of the House. The First Consul's having obtained from the Duke of Tus-

cany

any possession of the island of Elba, as soon as his Majesty's troops had evacuated it, and he discussed at some length the great importance of this island to France from its situation. During a war between France and Great Britain, France would derive most important advantages from having this island, and also they would find Genoa, scarce twenty-four hours sail from Toulon, another Marseilles. After dwelling upon the relative position of the island of Elba, compared to its proximity to Leghorn, to the mouth of the Tiber, and all the adjacent seas, and to a great variety of other points of considerable interest, he said, it did not appear that any remonstrances had been made by our Minister at Amiens in consequence of these two alarming events. If no negotiations had at all been carrying on; if all the parties had been in a state of profound tranquillity, the very circumstance of the greatest part of Italy being added to France must have been a sufficient ground for going to war; and *a fortiori*, it ought to have been ground for breaking off the negotiation. There never was before that time an instance of one of the negotiating parties having committed such violation of the laws of nations, and of the negotiations having still gone on and come to a conclusion, as if nothing of the kind had happened. After various other observations, the noble Lord said the definitive treaty could not be properly discussed without documents relating to this subject. He therefore moved, that an address be presented to his Majesty, that he be graciously pleased to lay before the House copies of all official communications that were made relative to the proceedings of the Congress at Lyons, and the appointment of the First Consul of France to the Presidency of the Italian Republic; as well as those relating to the occupation of the isle of Elba by the French.

Lord Pelham said, he would first inform the noble Lord that it would be of no use to move such an address, as his Majesty's Ministers had received no such communications; but as his noble Friend had early in his speech acknowledged that one reason why he rose, had been a wish at another opportunity to speak to the subject of the peace, in consequence of being at Vienna when the preliminaries were debated, to seize the present in order to deliver his sentiments respecting them, he should not attempt to follow his noble Friend through the whole of his argument regularly, but as he had gone so much at large into the subject, he might expect to hear something farther from him in regard to the transactions referred

referred to by him. He would only say, therefore, that he did not differ much from his noble Friend in respect to many of the points touched upon by him in the course of his argument. He admitted that the taking possession of such an aggrandisement and extension of territory as those of the Cisalpine Republic and of the island of Elba, during a negotiation for a general peace was alarming, and one of the many instances of the improper conduct of France during the negotiation, which he did not deny, in other times, and under other circumstances, was of such magnitude as might be thought to constitute a sufficient and justifiable ground for a renewal of war. The situation of the powers on the Continent, however, made any such proceeding on our part inexpedient; the negotiations therefore were not suspended, and he in concert with others of his Majesty's Ministers, had ordered the treaty, the chief articles of which had been approved by that House when they came to a vote on the preliminaries, to be concluded, and had thought it their duty to advise his Majesty to sign the treaty of peace, such as it was.

Earl Fitzwilliam asked, if Ministers had made any representation against the transaction as soon as they heard of it, and what that representation was?

Lord Hobart said, he must object to this irregular mode of proceeding, of individual Peers rising on a day when a motion was made for particular papers, to call for answers to questions which they might put to Ministers, quite foreign to the motion before the House. If an answer were to be given in one instance to a question so put, exclusive of its being a breach of official duty, it would lead to another question which some other individual Peer might think proper to put, and there would be no end of question and answer.

Lord Fitzwilliam put his question again, but in a different form.

Lord Pelham complained of noble Lords coming forward under the pretext of calling for papers elucidatory of a particular article of the treaty, and then attempting to go into matters that referred to other points. He was prepared to defend the definitive treaty altogether, when it came under regular discussion in its entire shape, but he could not think that noble Lords were justified in taking advantage of words that casually fell from him in so loose and mixed a debate as the present. He certainly had said, that the conduct of the First Consul in respect to his accepting the Presidency of the Italian Republic, and his obtaining the Island of Elba, would

would, in his opinion, have constituted a sufficient ground for the renewal of the war, but he had accompanied that declaration with saying, that in other times, and under other circumstances, it might have amounted to that.

Lord *Carysfort* called the attention of their Lordships to the declaration just made by the noble Secretary of State. His Lordship begged the noble Secretary of State to recollect that he had made no comment, observation, or remark of his own. He had not even given an opinion upon the subject, but had merely desired the noble Lords to recollect, and hold in their minds, the expression that the noble Secretary of State had used, that the conduct of the First Consul, in reference to his aggrandisement and enlargement of territory in accepting the Presidency of the Italian Republic, and his obtaining of the island of Elba, during a negotiation for a general peace, had done that, which, in other times and under other circumstances, would have been deemed of such magnitude as might be considered to be a justifiable ground for the renewal of war. That such conduct on the part of the French Republic pending a negotiation for a general peace, would, under other circumstances, in his opinion, be of sufficient magnitude to constitute a justification of the war.

The Lord *Chancellor* strenuously defended the refusal to give any reply to the noble Earl's question. The main point of his Lordship's argument was this: he admitted that it might be fairly argued, that a representation had been made, and much might be urged in that view of the matter. It might also be argued, that a representation had not been made, and there again a good deal of reasoning might arise, but in both those different views of the case, Ministers ought neither to deny nor confess whether any representation had been made by them or not, it was their duty to meet the question of decision of the definitive treaty under that situation of its circumstances.

Lord *Grenville* strongly reprobated the refusal of Ministers to answer the noble Earl's question, and contended that they might, in this instance, fairly give a satisfactory answer without any impropriety. His Lordship shewed the difference between refusing the papers respecting the treaty between France and Portugal in 1797, and saying, whether, in respect to the First Consul's possessing himself of the whole of Italy, and, by a juggle between him and the Duke of Tuscany, obtaining the island of Elba, and refusing them under the present motion. Lord *Grenville* also replied to some part

part of the Lord Chancellor's observations, that in particular which referred to the right of discussing either whether any representation of the extraordinary proceeding that had been so pointedly alluded to by his noble Friend (Lord Minto) had been made at Amiens or not. Undoubtedly his Lordship said any noble Peer might, if he chose it, argue the matter in either point of view, but to the giving an answer whether a representation had been made or not, there could be no fair objection; to give an answer would betray no confidential secret, it would only satisfy the House of Parliament on a point on which they were entitled to expect to be satisfied, and could be followed by no mischievous consequences whatever.

Lord Auckland supported Ministers in their refusal to give an answer to interrogatories put to them by noble Lords individually and irregularly. Their duty limited them to answer no question, but such as came before the House upon motion, and was regularly read from the woolsack by the noble and learned Lord.

[As we accidentally omitted to state Lord Auckland's sentiments at large relative to the Prince of Orange in their proper place, we take the opportunity of annexing it to this last single debate that preceded the general discussion of the definitive treaty.]

Lord Auckland said, that having had some experience in the duty of treating with nations having adverse views and contradictory interests, he well knew that such discussions are liable to great difficulties. A negotiator cannot in all cases obtain either the conditions or the expressions that his employers may wish. There must be complaisance and concessions in some particulars, in order to obtain a similar complaisance in other particulars. And on this account it is unfair to affix censure to detached and separate provisions, more especially in a treaty embracing such various and complicated interests. Subject to this distinction, he felt himself personally engaged in honour, and indeed in honesty, to declare, that the article in question was not consonant to his sentiments either in substance or in diction. He was sorry the House of Orange was not described by its proper title; he also disliked the new phrase of *la ci-devant Republique*. Besides, there ought to have been some prescribed mode for ascertaining the losses to be compensated; some special fund should have been assigned for the purpose; and the immediate adherents of the House of Orange, who had been de-

prived of their property by their faithful support to our cause; had strong claims to our protection. Still however the article, even if it should be thought open to those criticisms, was of great importance, as establishing in precise and definite terms that an adequate compensation should be made. And certainly the joint and solemn undertaking of four parties could not be weakened by the separate and clandestine transaction which had afterwards taken place between two of those parties. A defeasance so indecorous in its mode, and so unprincipled in its meaning, could not be considered as of any avail. He must be pardoned if he expressed these opinions with some degree of earnestness. He could not forget that the House of Orange had entered into the war during his embassy at the Hague. He had gone to that embassy with some pretensions to weight and influence; for it had happened to him a year or two before at Versailles to have contributed materially to the rescuing the United Provinces and the Stadtholderat from the influence of the French monarchy. The noble Lord opposite to him (Lord Grenville) had come to him at Versailles on that occasion, and had given a friendly, honourable, and efficient assistance to him. In the result he had signed and exchanged a declaration with the Court of France, which had been highly approved by all parties in both Houses of Parliament. Having resided at the Hague from the beginning of the French Revolution to the commencement of the war, he was able to declare that the attachment of the Orange family, and of their adherents to the British connection, had been uniformly zealous, steady, and undaunted, even under the invasion of 1793, which brought the French army within a few miles of the Hague. In 1795 the illustrious Princess, now in England, had been obliged to make the passage in a common fishing boat in the month of January. And in a later period of the war, one of her sons, a young Prince of pre-eminent hopes, had lost his life in the service of our allies. Lord Auckland added, that he could not doubt that the compensation of the lost property ought to be made by the Dutch, who had seized that property. It was under various descriptions of ancient estates in the Dutch provinces and in Brabant, salaries and appointments, marriage settlements by different powers and provinces, and also a large personal property. He had heard with pleasure the opinion of the noble Marquis (Cornwallis) that the compensation would undoubtedly be given according to the stipulation. It was not an object of generosity, but of justice.

tice. The neglect of such an object would draw upon us the contempt of mankind, and the wrath of heaven.

Lord *Clifton* (Earl of Darnley) said, he certainly saw very evident and material variations in the definitive treaty from the preliminaries, and when the day of regular discussion came, he would undertake to prove that the articles of the two were not conformable.

The question was then put, and the contents had it.

Adjourned.

HOUSE OF COMMONS.

MONDAY, MAY 10.

PADDINGTON MARKET.

The Sheriffs of London were announced.

Mr. Alderman *Coombe* rose, and was proceeding to make some observations, when the Speaker stated that it was the invariable usage to admit the sheriffs of London to the bar.

The Sheriffs being admitted, they presented a petition from the Lord Mayor, Aldermen, and Common Council of London, praying for leave to present a petition against the erection of a certain market at Paddington, which petitioners complained of as an infringement of their chartered rights, which gave them such a power, that no market could be instituted within seven miles of the metropolis, without their permission.

Mr. Alderman *Coombe* moved, that the prayer of the petitioners should be complied with.

Mr. *Frere* opposed it, contending that this market was about to be erected by the Grand Junction Canal Company, in pursuance of an act of Parliament passed in the year 1798.

Mr. Alderman *Coombe* said, that that act in the clause alluded to, which authorised the Canal Company to erect a new market, was introduced in the committee above stairs, and was not by any means relevant to the title of the bill; in fact the right now insisted on was obtained by a trick.

Lord *Temple* was surprised that the city representatives had not before now taken notice of this supposed infraction of their privileges, at least in due time to present their petition.

Mr. Alderman *Curtis* stated the reason of the delay which the noble Lord professed to wonder at, to be this—that the City of London was never apprised of any such right assumed

24 WOODFALL'S PARLIAMENTARY REPORTS. [Commons,
by the Paddington Canal Company, until a few days ago,
when an advertisement was circulated, announcing their in-
tention of opening a market.

After some remarks by Mr. Bragge, Mr. Frere, and Mr.
Henniker Major, a division took place.

For the motion, 69; against it, 27; majority, 42.

The Sheriffs were accordingly called in, and presented the
petition.

On the motion that it should be referred to a committee,
Lord Temple repeated his charge of remissness upon the city
representatives.

Mr. Lushington said, that even admitting the noble Lord's
charge to be just, yet that was no reason for depriving the
City of London of its rights. He (Mr. Lushington) believed
that if the bill complained of by his constituents were en-
tirely done away, they would be incapable of refusing their
assent to the institution of this market, should it appear to be
a necessary object of utility. They only stood forward to as-
sert the privileges which belonged them.

Mr. Courtenay thought the reasoning of the city Members
on this subject not less singular than futile, and hoped they
would not influence the House to interfere with the rights of
a company to whom the country owed so much as that of the
Grand Junction Canal. The honourable Gentlemen who
spoke last professed for his constituents that they would not
object to the institution of this market, provided the utility
of it were known: and how was that utility to be ascertained
if the establishment of the market was to be resisted?

Mr. Frere asserted that the representatives of London were
asked to be of the committee in 1798, who were now ac-
cused of clandestinely introducing a clause respecting this
market.

The *Attorney General* considered this a question of such im-
portance as ought to be inquired into.

The House divided. Ayes 73. Noes 24. Majority 49.

The committee was appointed, and ordered to report, &c.

Mr. Foster, after moving for a variety of papers with re-
gard to Irish finance, which were ordered, moved for an ac-
count of the vote of credit on which Exchequer bills to the
amount of 334,000*l.* had been issued by the Irish Exche-
quer.

Mr. Vanstittart said that this motion appeared to have been
founded on a confusion of the vote of credit respecting the
supplies, and that respecting the ways and means.

Mr,

Mr. *Foster* said, that either he must understand that the issue of that sum was not authorised, or that there could be no impropriety in calling for a production of the vote of credit.

Mr. *Corry* said, there was a material distinction between a vote of credit in Great Britain and in Ireland—in the former, he understood, that votes of credit were applicable only to the services of the army and navy. In Ireland they were voted for contingent civil services. Last year the vote of credit for Ireland was 300,000*l.* which was 200,000*l.* less than had been usually voted for that purpose. When the late Chancellor of the Exchequer opened the ways and means, he stated that the vote of credit for both countries would be 800,000*l.* but afterwards a vote of credit was taken for 2,000,000*l.* When he opened the budget last year, he stated the ways and means to cover the 300,000*l.* granted as a vote of credit for Ireland.

Mr. *Tierney* maintained, that unless a speech of his Majesty's Chancellor of the Exchequer was equivalent to a vote of the House, this was nothing to the purpose. The fact was, there had been no vote of credit, and 334,000*l.* had been expended without the authority of Parliament. He had observed this to be the case; for he had always understood the 2,000,000*l.* voted for to be destined solely to the service of England. The issue of 334,000*l.* for Ireland, was totally unauthorised.

Mr. *Robson* said, he had discovered how this sum had been endeavoured to be disposed of; he had discovered it among the army extraordinaries of England, where surely it had no right to be.

The *Speaker* said, that the motion appeared to him nothing more than for a matter of fact, which might be found on the journals of the House.

After more conversation the motion was changed into an account by what authority this money had been issued, and in this shape passed.

THE PRINCE OF WALES.

Mr. *T. Tyrwhitt* said, he was sure the House would hear with pleasure, that the claims of the illustrious Personage in whose service he was, had at last found their way into a court of justice. However, he trusted the House would not think the time wasted they had employed in considering these claims, when they were told that his Royal Highness's petition

tion of right during the time of the late Lord Chancellor lay in the office six years and a half, without ever receiving an answer. If the noble and learned Judge, who now holds the seals, should be against the claims of his Royal Highness, they must rest for ever. But, he trusted that the able and honourable men, whose legal assistance the Prince of Wales had, would find their opinion confirmed by that of the Chancellor. In that case he should deem it his duty to lay the verdict before the House. He knew their just generosity too well to suppose that they would disregard the established rights of the first subject in the kingdom, or of the last. He took this opportunity of stating, that since 1795, 525,000*l.* had been paid of his Royal Highness's debts, not from the public purse, but from a portion of his income set apart for that purpose. He hoped that the sum it would be found his Royal Highness was entitled to would enable him to pay the balance which still remains. It would then give him the liveliest satisfaction to be able to pay his own debts with his own money.

MALTA.

Lord *Hawkesbury* said, it was found that the motion of the House for an account of the revenue of Malta, while in the possession of our troops, could not be complied with, as in fact we had no such account in any public office—but the House might be furnished with an account of the revenue of that island before it got into the possession of the French, which perhaps would answer as well the purpose of the noble Lord. He should therefore conclude with moving, that this order be discharged, with a view to move for the account he had described.

Lord *Temple* had no objection to the motion, as the noble Lord stated that the account he had moved for could not be produced; but it seemed rather strange that Ministers could be better able to procure an account of the revenues of Malta before the French took possession of it, than while they had it under their own dominion.

The *Chancellor of the Exchequer* said, that Ministers felt the utmost wish to furnish the House with every necessary information, and their conduct in this instance was a convincing proof of their sincerity. The officer to whom this order was directed, might have returned for answer to the House, that no such account could be produced; but the conduct of his noble Friend was quite different, because it was the desire of Ministers to give every possible satisfaction.

Mr.

Mr. *Pitt* did not think it at all surprising that Government could not furnish any account of the revenue of Malta, while in our possession—for it was with no view to revenue that our troops captured, or that we held that island; revenue, indeed, had nothing to do with the question: but the information which his noble Friend now proposed to give to the House was quite sufficient to enable Gentlemen to judge of the importance and produce of Malta, and that was all that could be desired. He did not think it necessary that the first order should be discharged; it would be rather more proper to put the other motion along with it on the journals.

The motion was, upon the right honourable Gentleman's suggestion, put thus—"That an account be laid before the House of the revenues of Malta, previous to the year 1798." Ordered.

INDIA.

Mr. *Sheridan* said, he now considered it his duty to name a day for bringing before the House the late transactions in the Carnatic. He wished, however, to give full time to prepare for this important subject, and should therefore name so late a day as Wednesday fortnight. He then hoped with confidence for the support of a right honourable Gentleman (Mr. *Dundas*), whom it gave him the sincerest pleasure to see at last in his place. (*A loud laugh.*)

SUPPLY.

The House then went into a committee of supply, and

Mr. *W. Elliot* moved, that 88,000 seamen, including 18,000 marines, be voted for one month, from the 22d of May to the 21st of June inclusive. In answer to some observations from Mr. *Robson*, he said, that many of the ships were on distant service, and it was impossible to say whether a greater reduction could be immediately effected.

The *Chancellor of the Exchequer* stated, that every practicable reduction was making in the public force—the House would recollect, that the last vote was for 130,000 seamen, therefore an actual reduction of 42,000 men had been made within the last three months, in the naval department. There were at present thirty-six sail of the line at sea, and the wish of the admiralty was, only to have some little time, to enable them to judge of the number of ships and men, it might be expedient to employ—therefore the probability was, that the nation would not be burthened with the support of the men mentioned in the motion even for the short period of a month.

The

The motion was agreed to, as were the following—

152,000*l.* for the pay of 88,000 men for a month, &c.

167,200*l.* for their victuals.

264,000*l.* for wear and tear of ships.

22,000*l.* for ordnance for sea-service.

The *Secretary at War* said it was found necessary to vote the army estimates for a short time longer, nearly on the same scale on which they now stood. However, great reductions would take place before the 24th of this month, which it would be his duty to state. The cavalry at home, the foot guards, and the invalids would be reduced in the numbers of the rank and file in their companies, the 20th light dragoons, and seventeen regiments of foot would be reduced altogether, making a reduction of 31,512 men, and a saving of 563,483*l.* Corresponding reductions would take place in Ireland and the West Indies, so as to make the whole number of men reduced 121,000, and the annual saving 2,400,000*l.* He concluded by moving that 61,000 men be voted for guards, garrisons, &c. in Great Britain, Guernsey, Jersey, and the Isle of Man, for one month, from May 24 to June 23, inclusive.

After some conversation between the right honourable Gentleman and General Walpole, about keeping a certain number of men in each troop of cavalry dismounted; this resolution was agreed to, and followed up by another, voting 15,280 for guards, &c. in Ireland, and the following sums:

For pay of guards, garrisons, &c. in Great Britain,	222,000
Ditto in Ireland,	61,198
Ditto in plantations,	196,498
Fencibles in Great Britain,	24,400
Ditto in Ireland,	42,695

Mr. *Steele*, in the absence of his right honourable Friend at the head of that department, then moved the ordnance, and after nearly twenty speeches from Mr. Robson, and as many replies from Mr. Steele and others, the committee voted for the office of ordnance in Great Britain, for one month, ending the 24th of June, 133,336*l.* Ditto in Ireland, 25,000*l.*

It was then resolved, that provision should be made for the adjutants and drum-majors of the disbanded militia, and the House was resumed. The report to be received the next day.

Dr. *Laurence*, in consequence of the length of the debate of that beautiful composition with which the House had been entertained, put off his intended motion relative to our rights in

in India, as affected by the definitive treaty, till the next day.

On the motion of the Chancellor of the Exchequer, the discussion on the consolidation of the sinking funds, was postponed till Monday next.

The consideration of the report of the bill for the better regulation of the residence of the clergy, which stood for the next day, was deferred till that day se'nnight.

The consideration of the report of the militia bill was put off till Thursday.

The Scotch militia bill passed through a committee, the report was received, and ordered to be taken into farther consideration the next day se'nnight. The bill was in the mean time ordered to be printed.

The consideration of the report of the bill for extending and improving the provisions of the Lords' act was fixed for Wednesday the 19th instant.

The militia pay bill was reported, and ordered to be read a third time the next day.

Mr. *Bragge* brought up the report of the committee appointed to inquire into the qualities of the flax seed imported into Ireland. It was ordered to lie on the table, and to be printed.

The committee on the Irish linen manufactory bill was put off till Friday.

The bill for the better regulation of the trials on contested elections was, after a few words from Mr. M. A. Taylor, Mr. Martin, and the Chancellor of the Exchequer, ordered to stand committed for Thursday se'nnight.

Mr. *Vanfittart* moved, That the House should the next day go into a committee on that part of the 27th of his present Majesty, which respects the licences of lottery office-keepers.

The House also resolved to go into a committee the next day, on the act of the 7th of his present Majesty, for the prevention of the secreting and embezzling of letters and packets.

Several other orders being postponed or disposed of, the House adjourned.

HOUSE OF LORDS.

TUESDAY, MAY 11.

Counsel was heard on the appeal *Lushley and Hogg v. Hogg*. Further hearing put off to a future day. Adjourned.

HOUSE OF COMMONS.

TUESDAY, MAY 11.

The London Fish Market bill was read a second time and committed.

Mr. *Baker* moved for and obtained leave to bring in a bill for regulating the admeasurement of coals in the city of Westminster.

The report of the manure bill was received, agreed to, and the bill ordered to be ingrossed and read a third-time.

Mr. *Charles Dundas* gave notice of his intention of bringing in a bill to repeal a clause in the act 13 Geo. III. relative to the poor.

The horse duty farming bill was brought in, read a first and ordered to be read a second time the next day.

Lord *Hawkebury* brought up a copy of the treaty of Badajoz, and of the treaty between the French republic and Portugal. He also brought up a copy of the articles signed at Moscow, the 20th Oct. 1801, between his Majesty and the Emperor of Russia, and the acts of accession of the Northern powers. He moved they should lie on the table, and informed the House they were printed and ready for delivery.

The bill to prevent the secreting parts of Bank notes sent by the post, was brought in, read a first and ordered to be read a second time the next day.

Mr. *Alexander* brought up the report of the committee of supply, which was read and agreed to.

Leave was granted to bring in a bill to continue the mutiny act for a limited time, and a bill to continue the act to regulate the marine forces while on shore.

Ordered, on the motion of Sir William Pulteney, that there be laid before the House an account of the quantity of linen and hempen yarn imported into Great Britain for ten years up to the year 1802, distinguishing each. Also of the flax and hemp, and the flax and hemp seed, imported for the same period.

The militia pay bill was read a third time and passed.

The

The House went through a committee on the legacy duty act. Progress was reported, and the committee ordered to sit again on Friday.

DEFINITIVE TREATY.

Lord *Hawkesbury* moved that the order of the day for taking into consideration the definitive treaty of peace should be discharged, in order that it might be appointed for Thursday. His reasons for wishing to delay the debate upon the general question of peace was, because an honourable and learned Member (Dr. Laurence) had given notice of his intention of bringing forward on this day a previous motion for papers relative to the claims of France and Holland in the East Indies; that previous motion the honourable Member had agreed to postpone till the next day, in consequence of its being personally inconvenient to several Gentlemen to attend that day, and as it might be necessary that his motion be discussed before the question of the definitive treaty, it was but reasonable the latter should be appointed a day later.

Lord *Temple* observed, that a motion of an honourable Friend of his stood for Thursday.

Mr. *Grey* was of opinion there ought to be allowed at least an interval of one day for the House to consider the papers intended to be moved for, and he suggested the propriety of postponing the debate on the definitive treaty till Friday.

Lord *Hawkesbury* said he was anxious to have the subject discussed as soon as possible, and he could not consent to protract it beyond Thursday.

Mr. *Dent* thought even Friday too early a day. He moved an amendment, that the word "Monday" should be substituted for Thursday.

General *Maitland* was of opinion that it was important to the tranquillity of the public, that the general question should be disposed of as early as possible. He censured the conduct of those Members who availed themselves of motions for papers to make speeches which they knew could not regularly be answered.

Mr. *Grey* insisted that it was of the highest public consequence that the question of a treaty of peace, the most important that had ever been made, should be thoroughly understood and brought fully before Parliament.

Lord *Hawkesbury*, General *Maitland*, and Dr. Laurence, severally explained.

Mr. *Bragge* said, that the debates which had been introduced upon motions for papers were calculated to alarm the country,

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country, it was therefore necessary the whole question should be brought fairly to issue, that the people might know in what situation the country stood.

Mr. *Sheridan* said, there was more contention about the day than the matter required. He thought if papers were granted in pursuance of the motion of the honourable and learned Member, the House would require time in order to look into the information.

The *Attorney General* was of opinion that the object of the honourable Gentlemen, who had excited so many intermediate debates, was delay—they had been actuated by a desire not so much of moving for papers as of making speeches. He confessed, however, that in the sentiment which induced them to do so, he recognized a deal of British feeling.

After some further conversation between Mr. Windham, Mr. Ellison, and Mr. Alexander, Mr. Dent agreed to withdraw his motion.

Mr. *Sheridan* then moved an amendment, substituting the word Friday.

Lord *Temple* seconded it.

Lord *Hawkebury* said it would be attended with serious inconvenience to postpone the day.

Dr. Laurence, Mr. Jones, and General *Gascoyne* said a few words, after which the House divided upon Mr. *Sheridan's* amendment.

Ayes 23 —Noes 75.—Majority 52.

The consideration of the definitive treaty stood of course for Thursday.

HONDURAS, &c.

General *Gascoyne* rose, pursuant to notice, to move for certain information relative to the definitive treaty, with respect to the right of the subjects of this country to cut wood, &c. in the Bay of Honduras. He said he understood that the Spaniards had conceived that right to be given up by the treaty of peace, and of course that their opinion was very different to that which Ministers had explained to the House. Upon this point he thought the fullest information ought to be laid before the House, but the point upon which he principally dwelt, was the omission in the definitive treaty of any stipulation to secure to British settlers in the islands to be ceded, the right of removing their property, notwithstanding the number of memorials which in the course of the negotiation had been presented to the noble Secretary of State, of the amount of British capital vested in their establishments—

not

not less, he was well assured, than ten millions; though their settlements were for the most part known to have trebled in produce, during the years 1799, 1800, and 1801, through the exertions of British industry. Having descanted at considerable length on the consequence of allowing so much British property to fall into the hands of our great commercial rivals, and on the severe treatment of the merchants, who would now be obliged to consign their produce to French merchants, instead of their own countrymen, if they could prevail on themselves to remain in establishments from which they would not be suffered to remove their effects; for their negroes particularly must, by the laws of France, remain attached to the soil. He said it was his intention, on a future occasion, to bring forward a proposition for the relief of these merchants. He remarked on this omission as a deviation from the practice in all former treaties, especially those of 1763 and 1783; when the case of our merchants in similar circumstances was carefully provided for. He concluded with moving, that an address be presented to his Majesty, praying that there be laid before the House an account of any explanations that may have taken place between our Government, and the French and Batavian Governments, respecting the removal or transfer of British property belonging to any establishments in the islands, colonies, and settlements, which his Majesty has engaged by the treaty of peace to restore to these Governments. The honourable Member added, that if it should be asked what good could result from now enquiring into this business, he should say, that it was not yet too late to obtain relief for the merchants interested.

Lord *Hawkebury* opposed the motion, as unusual in its nature. It called for explanations of what had occurred in the progress of a negotiation which was now brought to an issue—an explanation which it would be improper to grant, if not impossible satisfactorily to state, unless other parts of the representations of our ambassador, upon which great stress might have been laid, were coupled with it; and it was to be considered, that many of those communications were made under an implied obligation of secrecy, to violate which might be dangerous to the consequences of peace. It was undoubtedly true, that many representations had been made to Ministers upon this subject, and that endeavours had been made to procure the best arrangement for our merchants; the result of these endeavours were on the table, in the treaty of peace, and it would be for the House to judge of it. With respect

respect to the claims of these settlers for relief, it must be considered that those in the Dutch colonies had, for the most part, vested their property in those colonies long before the war. The case was somewhat different in regard to such as had settled in any places to be surrendered since those places had come into our possession—but it must be taken into account, that even these persons had embarked their capital on mere speculation, aware of all the risk in colonies which had been just captured, and which they could not by any means be secured of having annexed to this country, in the conditions of Peace—the pretensions of such speculators to relief from Parliament he thought stood evidently in very different grounds from those on which settlers in our ancient British possessions would rest.

Dr. Laurence conceived the motion merely to seek for any agreement which the contracting parties might have entered into on this important subject. This information could, in his opinion, be furnished without the danger apprehended by the noble Secretary of State; and it was necessary, in order to satisfy the merchants, and to enable the House to judge fairly of the merits of the peace.

Mr. Windham, Mr. Grenville, and Mr. Baker spoke in favour of the motion. Mr. Vansittart and Mr. Harcourt against it. It was negatived without a division.

General Gaseyne then moved “for copies of the memorials and petitions presented to Government on this subject. This motion was supported by Mr. Windham, Dr. Laurence, Mr. Grenville, Mr. W. Wynne and Lord Temple, on the ground that it would furnish the House with a full account of the loss which British merchants were likely to sustain by the omission complained of in the definitive treaty.

Lord Hawkesbury, Mr. Bragge, the Secretary at War, the Attorney General, and Mr. Vansittart argued that the papers applied for were unnecessary, because the loss complained of by the memorialists was admitted, and because as they were the statements of interested persons, they could not be documents upon which the House would rely in the way of evidence, or upon which they would ground any proceedings.

The motion was negatived. General Gaseyne next moved “for an account of the quantity and value of all mahogany, logwood, and other dying woods imported into Great Britain from the year 1787 to the year 1801, distinguishing each year, and the place from which the same had been imported.” Also “an account of the quantity and value of gum Senegal, camwood,

wood, ebony, and red wood imported from Africa during the years 1790; 91, 92, and 93, distinguishing each year, &c." Ordered.

The honourable Gentleman also moved for a statement of any information which his Majesty's Government may have received of prohibitions affecting the trade or navigation of this country with those powers with whom we have just concluded a treaty of peace—imposed since the signing of the preliminary articles. The honourable Member added, that his object was to have information officially laid before the House of those proceedings which were quite notorious.

Lord *Hawkebury* said, that his only objection to this motion was, that there was not in fact any office in this country from which the information sought for by the honourable Member could be obtained. Government had heard something of the proceedings alluded to, but had had no official intelligence; for it was to be observed that we had as yet established no regular agency in the countries with which we had lately been at war.

The motion was rejected.

LOTTERY.

The House resolved into a committee on the lottery licence act.

Mr. *Vanittart* stated the alterations which he meant to propose in this act, which were, that every lottery office in London and Westminster, should pay a licence duty of 50*l.*; but that such licenced offices should be only liable to a duty of 10*l.* for any agency office it might chuse to establish in any part of the country. That every office in the country should pay a duty of 50*l.* and have the same reduction for agency offices in any part of the United Kingdom, except in London, Dublin, or Edinburgh. The hon. Gentleman moved resolution according to his statements, which were agreed to, the House resumed, and the report was ordered to be received the next day.

FRANKING.

The House resolved itself into a committee on the act respecting the privilege of franking.

Mr. *Vanittart* said, that since the Union this practice stood not on perfectly legal grounds. He therefore moved several resolutions to regulate this privilege with respect to the whole of the United Kingdom, which were agreed to. The House resumed, and the report was ordered to be received the next day.

SUGAR.

The House in a committee on the sugar drawback bill,
adopted

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adopted a resolution proposed by Mr. Vanfittart, that when the average price of refined sugar should be under 45s. per cwt. a bounty of 1s. per cwt. should be allowed on the exportation thereof from Great Britain, and that when 40s. a bounty of 2s. per cwt. should be allowed. These resolutions were extended to refined sugar exported from Ireland.

QUACK MEDICINES.

The House in a committee on the medicine duty act, agreed to a new scale of duties on medicines, and to a resolution that the venders of Medicines in London, Westminster, Southwark, and within the limits of the two-penny post, and twenty miles thereof, should pay for a licence 40s. per annum; venders in all other places to pay only 10s.

The report was ordered to be received the next day.

Adjourned.

HOUSE OF LORDS.

WEDNESDAY, MAY 12.

Mr. *Attorney General* was heard for one of the parties in the appeal, Hog, Lashley and others, after which the farther hearing was adjourned to Friday.

All the bills on the table went through a stage each.

The election treating bill was ordered to be referred to a committee of the whole House, on Tuesday next, and the Lords to be summoned.

The Norwich workhouse bill, the militia, fourteen private bills, and two return bills, were brought up from the Commons, and presented by Sir George Shuckburgh Evelyn, Colonel Stuart, Mr. Fane, Mr. Shaw Le Fevre, Lord Geo. Cavendish, Mr. Saville, Mr. Dickenson and others, and the bills were severally read a first time. Adjourned.

HOUSE OF COMMONS.

THURSDAY, MAY 12.

Mr. *James Martin* presented petitions from Tewkesbury and Gloucester against the late tax on malt, hops and beer. Ordered to lie on the table.

The lottery bill was introduced by Mr. Vanfittart, read a first time, and ordered to be read a second time the next day.

The bill to enable his Majesty to avail himself of the offers of certain yeomanry and volunteer corps to prolong the term of their service, was read a first time, and ordered to be read a second time on Monday next. The bill was in the meantime ordered to be printed.

The

The reports of the committee on the act for the regulation of franks, on the act for fixing the sums to be paid for licences by lottery office keepers, and the act for regulating the duties on licences to sell medicines, and on the medicines themselves, were severally brought up; the resolutions were read and agreed to and bills ordered.

The mutiny bill was read a first time, and ordered to be read a second time on Monday.

The bill for the regulation of his Majesty's marine forces while on shore, was also introduced, read a first time, and ordered for the second reading the next day.

IRISH LOAN.

The House then resolved itself into a committee of ways and means.

Mr. *Corry* said, that the single point with which he should have to trouble the committee, would be the statement of the loan which had been made for Ireland. In giving notice of his intention to bring forward this subject, he had observed, that it would be incumbent upon him to state the circumstances of the loan that day, rather than on the day when he was to go into a general statement of the supplies and ways and means for Ireland. He, therefore, hoped he should discharge his duty to the satisfaction of the committee, by confining himself, upon the present occasion, to that single point, and by refraining from going at large into the affairs of that country until a future day, of which sufficient notice would be given, to enable Gentleman to turn their attention to the subjects which would then come under discussion. The committee would recollect, that in adopting this line of conduct, he was following the example of the right honourable the Chancellor of the Exchequer, and in so doing, he hoped he should meet with the approbation of the committee. The interest of the debt of Ireland, the permanent grants, and the votes of that House, for the service of Ireland, amounted to 4,641,000*l*. The ways and means to cover these supplies, consisted of the revenues of Ireland, and the loan of Great Britain, and the profits of the lottery. These sums together amounted to 4,366,000*l*. So that the ways and means were exceeded by the supplies by some hundred thousand pounds. He had now to state, as further ways and means, a loan for 1,660,000*l*. Against the excess which this would create on the side of the ways and means, he begged leave to observe, that there remained to be provided for, the army establishment

for that country, for six months, and as that would amount to a considerable sum, that, he hoped, would appear to be a sufficient foundation for the loan. He had now merely to state the terms upon which that loan had been contracted for, and he had great satisfaction in stating that these terms were even better than the terms upon which the loan had been made in this country. The loan had been made in Ireland upon terms more advantageous, not only than any former loan in that, but in this or any other country. The House had expressed great satisfaction upon the statement made by his right honourable Friend, the Chancellor of the Exchequer, of the advantageous terms upon which the loan for Great Britain had been made, and the picture which he then drew of the prosperity of the country, rendered it unnecessary for him to enlarge upon the same subject; he only hoped that he might be permitted to observe, that the present loan was an additional proof of the prosperity of both countries. It was, perhaps, rather insidious to enter into comparisons upon such a subject, that the interest of this loan amounted to no more than 3l. 16s. 3d. per cent. whereas the interest of the late loan made for Great Britain amounted to 3l. 18s. 3d. per cent. It was not his intention, unless called upon by the committee, or by any honourable Gentleman, to enter more at large into the subject, unless to observe, that this loan was made in the $3\frac{1}{2}$ per cent. stock. The amount of the capital created, above the money received, was little more than 8l. on every hundred, so that the increase of capital above the actual money received was only about 140,000l. At the time that the Irish loan was advertised to be bid for, the price of the only $3\frac{1}{2}$ per cent. stock in this country, viz. the South Sea stock, was 82. But the Gentlemen who went from this country to bid for the loan, leaving the English $3\frac{1}{2}$ per cent. stock, at 82, and finding the Irish $3\frac{1}{2}$ per cent. stock 90 $\frac{1}{4}$, had nevertheless the spirit to bid 91l. 15s. 11d. a price higher than that of the four per cents. in this country at that time. It was not necessary that he should trouble the committee any longer, he therefore concluded with moving the necessary resolutions, which were agreed to.

Mr. *Vanfittart* moved, in the committee, that the charge of the allowance to be granted to adjutants and serjeant majors in militia, be defrayed out of the land tax. Agreed to.

The House then resumed, and the report was ordered for the next day.

Lord

Lord *Hawkebury* presented an account of the territorial revenues and commercial duties of the island of Malta for three years preceding the time when the port of Valetta was taken possession of by the French in 1798. The account was ordered to lie on the table, and, on the motion of Lord Temple, ordered to be printed.

EAST INDIES.

Dr. *Laurence* rose, in consequence of the notice given on a former day, to move for certain papers relative to the affairs of the East Indies. He began with stating the importance of our interests in the East and West Indies, which he said were acknowledged by our enemies, in the jealousies they entertained of them. He did not intend at present to enter into a particular discussion of them, but should confine his observations to the situation in which these interests stood by former treaties, and that in which they are placed by the treaty of Amiens. With this view he entered into an historical account of the progress of our influence and possessions in the East Indies. At first we appeared there as ambitious merchants, anxious only to extend our commerce, content with the liberty of traffic, and never once extending our views to territorial dominion. At a late period, even in the memory of some present, our possessions in the East Indies were reckoned a matter of little moment; and a barren rock in Newfoundland seemed a greater object of importance to the public than the restoration of Madras to us by the treaty of Aix-la-Chapelle. By degrees, however, the advantages to be derived from possessions in that quarter began to be perceived; and we soon after acquired immense territorial dominions. Whether our rights to these dominions were originally real or pretended, we ought at least to resist their being invaded by the French or Dutch. In order to ascertain how far this had been done, he proposed, in the first place, to consider what claims the French formerly advanced to the coast of Coromandel and Orelia, and how far these claims were now guarded against by the present treaty. Our pretensions in the East Indies were sanctioned by the example of France. We continued peaceable merchants within the limits of our factories, till the usual intriguing spirit of the French began to manifest itself in views of aggrandisement. These views were first manifested by the Governor of Pondicherry; and much about the same time their ambitious enterprises in Bengal obliged us to acquire dominion in our own defence. The method which the French took to extend their dominions in the Coromandel, was by procuring grants from the native

Princes. In particular, they procured a grant of the five provinces called the Northern Segars. We acquired a more legal right to them by a grant from the Supreme sovereign of the country, the Great Mogul. The validity of this grant to us was confirmed by former treaties, but now again remains to be decided by the sword. The French by former treaties were prevented from erecting any forts in the Subah of Bengal. This was prohibiting them from exercising a right formerly possessed by the Zemindars and the Arabs, who had fortified factories in that country before the arrival of the Portuguese. By the non-revival of these prohibitory stipulations, this right was restored to the French, and it was to be considered whether they would not avail themselves of it. With respect to the Coromandel, we had forced the French by treaty to acknowledge the sovereignty of the Nabob of the Carnatic, the Nabob of Arcot, our friend, and who had conferred our grants; and to renounce the family that opposed him, the author of their grants. But this treaty now being done away, would they consider themselves bound to acknowledge the sovereignty of the Nabob of the Carnatic, or think themselves restrained from supporting the opposing family, if any branch of it still existed? Out of the stipulations against erecting forts in Bengal, arose another against the exempt jurisdiction of factories, which were taken away by the treaty of 1783. Factories had anciently the power of granting protection to criminals, who sought refuge from the justice of other nations. By the convention of 1787, all these privileges were completely done away, and the jurisdiction of factories strictly confined to persons residing within their own limits. All these restrictions are now done away. If we look to former treaties, we shall find that the French were strictly circumscribed in the means of defence they were allowed to employ. In 1765 they were allowed, merely as a special act of grace and favour, a small quantity of arms to defend their factories against any sudden attempt of the natives. In 1767 the intriguing spirit of the French began to manifest itself, and representations were made by our governors, that unless vigorous measures were taken, and the disputes settled by treaty, our possessions in that quarter would be endangered. At several succeeding periods, similar representations were made, and the pretensions of the French were at times only resisted by military force. Dr. Laurence then entered into a variety of details, to shew that these quarrels between the British and French subjects in the East

East Indies were perpetual, and that the usurpations of the latter were only prevented by force. He read extracts from the dispatches of Mr. Hastings, Sir John Macpherson, and other governors, to shew that they thought the stipulations of the treaty of 1783 essential to the preservation of our possessions in the East. Yet even this barrier was afterwards found insufficient, and further stipulations were procured in the convention of 1787. This convention was universally approved of as the means of preventing all future disputes. He then adverted to certain articles for which express stipulations were provided in that convention; and particularly salt, salt-petre, and opium; in the traffic of all which articles he contended we had relinquished important advantages. After this survey of our present and former state, with regard to France in the East Indies, he next proceeded to call the attention of the House to our commercial connection with the Dutch Republic. He adverted to the treaty of 1784, for concluding which, our negociator had taken great merit to himself. That treaty did not specifically renew all former treaties, but it did so generally. The two principal stipulations in it were, the preservation of the honours of our flag, and the perpetual freedom of navigation in the Eastern Seas. The importance of the last stipulation was evident from the efforts of the Dutch to have it limited; but we would not hearken to such a proposition. He then entered into a detail of the importance of the Straits of Sunda, and the Straits and town of Malacca. He adverted to the pretensions which the Dutch had formerly advanced of a right to exclude us from the trade of that peninsula altogether. They had not indeed been insisted upon while we were their allies, but they had long ago manifested how ill-disposed they were to our eastern commerce, and was it now to be expected, that, when under French influence, they would refrain from advancing claims which were left completely undecided? Dr. Lawrence then turned his attention to the objections that might be urged against the production of the papers he called for. It might be said, that our rights were so plain that they could not be disputed; but were we such children as to imagine that where claims were not actually stipulated for, they would be admitted without controversy? What rendered the complete adjustment of our rights of more importance was an instrument which he meant to call for; that instrument by which the Dutch Republic was admitted to treat as the ally of France. This instrument, the treaty of 1795, was in

in fact the same as an alliance offensive and defensive. By this treaty, Holland might be at peace with Prussia, Germany, or any other power of Europe, Great Britain excepted; though France were at war with them. From hence it followed, that in all our discussions with the Dutch concerning our possessions in the East Indies, France also was necessarily involved. When we considered the treaty of 1795, and the present treaty of Amiens in respect to allies, we could not but bear witness to the triumph of France, and our own degradation. He then adverted to the Cape of Good Hope, which, he stated, to be of essential consequence to this country, both in time of peace and war. It might be urged, he said, in defence of the non-revival of former treaties, that we did not give up our rights, but were prepared to defend them to the utmost. But though they had not been revived generally, it was surely worth while to revive specifically that part which protected our commerce in the East Indies. Thus, said he, I have stated what was stipulated in our favour by former treaties, and is now relinquished, without giving my opinion, whether the concession was voluntary, or extorted by force. It is not however in India, but here, that these affairs must be settled, either by negotiation or force. We must now say, that in proportion to the magnitude of the concessions we have made, we are prepared to defend what remains to the last. He concluded by moving, that there be laid before the House an account of the acquisitions made or pretended to be made by his most Christian Majesty on the coast of Coromandel and Oreria, between the years 1748 and 1763.

Mr. Dundas said, that whether our situation was to be decided by negotiation or by the sword, in India or elsewhere, as the learned Gentleman had stated, he would dare say, that there was no difference of opinion between them upon this point, namely, that it was essential to the interests of this country, wherever our claims were to be supported, and where our rights were clear and indisputable, not to do any things ourselves to bring these rights into doubt. He stated it, as a general maxim, on which he apprehended there was no difference of opinion in that House, or elsewhere; and yet, notwithstanding no doubt was entertained of the truth of this general maxim, he was afraid that if motions like these were persevered in, much difference of opinion would arise upon the application of that principle; his proposition was such as he held to be clear as the sun at noon day, namely,

namely, that no doubt could be entertained on the relative situation of this country and of France in India. No doubt had been expressed upon that subject till lately in that House, nor would any doubt be entertained elsewhere, only by bringing forward speculations of our own in that House, and making that doubtful in debate, which was long acknowledged to be clear in principle. Mr. Dundas entered into an historical detail of the rise and progress of the British power in India, the contests which had taken place from the earliest periods, and the share taken therein by the French, in order to oppose our progress in India, down to the period in which Lord Clive had so distinguished himself, to whom, for his valour as a soldier, and wisdom as a statesman, he paid the highest compliments; the result of whose measures he stated to have consummated the British power in India, and settled our sovereignty there by right of conquest, which right he reconciled to the inhabitants by the wise respect he paid to their prejudices. Having gone through a complete history of these events, and having given a compendious account of the progress of the Mogul empire, and of its revolutions for eight centuries, he proceeded to state the conclusion, which he drew from all these premises; which conclusion was this, "That though we may feel it just and expedient to make such allowances to the prejudices of the inhabitants, and to make such regulations in our territories as we may please, or think advisable, yet with regard to European powers, to them we say freely and distinctly, we have gained this country by our arms, and by our arms we will keep it." For upon all the grounds which he had already stated, it was manifest, that the provinces of Bengal, Bahar, Orissa, &c. had come to Great Britain by conquest, as much as any country ever came into the hands of another; and from the period when it became so under the government of Lord Clive to the present day, the French never had, directly or indirectly, from the treaty of 1763, any right whatever to interfere with the provinces of Bengal, Bahar, and Orissa, &c.; but, that they were by right of conquest subject to the sovereignty of the king of Great Britain to all intents and purposes, which sovereignty was to be exercised through the medium of the India Company, and through the different organs established for the preservation of our provinces, as much as any other part of his Majesty's dominions. He said he need not dwell upon these points, the facts were clear and well authenticated in the history of those dominions; and therefore he laid it
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down as a clear and indisputable proposition, that what we had gained thus by conquest, was to be considered with reference to any other European power, as totally subject to our sovereignty, without any interference of theirs, that we were actually the sovereigns of India, and no European power had any right whatever to dispute our title to this power, which we possess, *de facto*. Such was the state of the British power in India; the situation of France was extremely different, without one inch of territory except what they may claim under the definitive treaty under consideration. He would ask the House to pause for a moment, and then ask itself this question; was there a man within hearing of his voice who had any doubt whatever as to these facts at this moment? Certainly none. Was there any one man within the hearing of his voice, who thought that if these facts, and the right arising out of them, were to be called in question, this country would not go the length of risking its last stake to support those rights, and refuse giving up one *iota* of them? He had no reason to be satisfied in any point of curiosity, by asking why it was expedient in the present moment to avoid references to ancient treaties in the present definitive treaty of peace. It was a subject upon which he did not think it necessary to dwell at present, it was sufficient for him to say, that there was no diminution thereby in our power in India; no foundation whatever for any other to dispute our sovereignty there, nor any thing which entitled others to contest with us the rights upon which that sovereignty was founded; nor was that all; he would go further, and say, he mistook greatly if any doubt was now entertained, that with regard Great Britain, her sovereignty in India stood at that moment upon a better footing than if the former treaties had been renewed by it. By the treaty of 1783, which was unquestionably the very worst treaty this country ever entered into on the subject of Indian affairs, it was the business of his Majesty's Government, and a very laborious one it was, in the convention of 1787 to do away the evil created by the treaty of 1783. By that of 1783, our sovereignty in India was rendered disputable; by the convention of 1787 our sovereignty was re-established. Having expatiated at considerable length upon the merits of the convention of 1787, and the demerits of the treaty of 1783, he proceeded to say, that had the treaty now upon the table renewed any former treaty, it would have been impossible to refer to the convention of 1787, without also renewing the contests which were brought forward
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in 1783. It would have been impossible to have introduced the one, without also calling for an explanation of the other, and therefore the affairs of that country were much better, considering all the circumstances of the relative situation of this country and of France. To suffer all treaties whatever to be passed over in silence, we might, perhaps, by renewing some of the declarations and admissions of our sovereignty in India as settled by the convention of 1787, have employed some antidote against the evil of which we had too much reason to complain, but it was manifest to him we could not have such antidote without having also a certain portion of the poison by the renewal of any discussion whatever upon the subject of treaties, and therefore he had no difficulty whatever in saying, that upon a review of the whole condition of our affairs, considered with relation to those of France, we were infinitely better in passing the subject over in silence, than we should have been in endeavouring to renew any of them. He confessed, he said, that when the rumour reached him that the provisions of the convention of 1787 were left out of the present treaty, he shrunk under an apprehension that our power in India would be destroyed, and he was the more alarmed when he heard it said, that this was brought about in consequence of the views of France to undermine, and finally, to overturn our sovereignty in India. This led him to turn the subject very seriously in his mind, and to look at all the ancient documents, to consider the whole matter deliberately; and the result was, that it was infinitely better for us to have no reference whatever to any treaty, as he had already stated. But the learned Gentleman asked, if the House could really think that we could be secure in India against the ambitious claims of France, as they had appeared in 1783, and which were done away in 1787? Did we really think we were safe now, without having renewed, by the present treaty, the provisions of the convention of 1787? This he would answer, by putting to the learned Gentleman this question—Did he really think, that if the French should be disposed to renew the pretensions of 1783, or any other period, that they would be prevented from so doing by a few scraps of papers being laid on the table of that House, a species of artillery that would not be equal to the operation of a single field-piece for half a minute? But the learned Gentleman would say, that the treaty of 1783 would establish the disposition of the French at that time to dispute our sovereignty in India. It would indeed

establish that which there was no need of establishing, because the thing was well known; the French did on that occasion, as they would do on every occasion, provided they thought they could succeed in the attempt of it, namely, endeavour to diminish the greatness of this country, and enlarge its own; but in proportion as they were disposed to be hostile to our interest, or querulous while we enjoyed our advantages, he had no difficulty in saying, it was the wisdom of this country, in the same proportion, to wait until these claims were made which Gentlemen spoke of with so much apprehension, and in the mean time to stand upon our right — our paramount right of sovereignty. What course the French would take to enlarge their commercial interest in India was not for us to anticipate. It was enough for us, that if they endeavoured to do so by the exertions of individuals, or otherwise, they could never do so without being liable to be interrupted by this country. If they were to try to erect commercial factories, or to do any thing that interfered with our sovereignty in India, we should be fully warranted, and what was better, we were in possession of means to resist such an attempt. But those means would not be increased by a few papers being laid before the House, such documents would not help us to any arguments which we had not already, for the propriety of resisting such attempts; thank God we had never wanted arguments to resist the encroachments of the French on our sovereign power in India, nor had we wanted strength for that purpose. From all this it was perfectly clear, that before the French could exercise any trade in India, they must come to us in the character of suppliants; for nothing they had yet obtained would enable them to carry on trade in India without our leave. He had stated the difference between the treaty of 1783 and the convention of 1787 already. He had to observe, that we were not now in a situation similar to that in which we stood in 1787. There was now no treaty in existence between us and France, nor any regulation on the subject of India, except the single clause in the convention now upon the table of the House. And with regard to the trade of France in India, if any they were to have, they could have it only through the indulgence of the British power in India; and, therefore, he said again, we were better off as the case stood upon the present treaty of peace, than if we had renewed any of the former treaties. Whatever matter of complaint was to be urged, or, rather, of lamentation, upon this subject,

ject, it could only be, that his Majesty's Government did not settle the whole of the provisions of all former treaties, by taking notice of them all, and finally adjusting them all. This, however in the abstract it might appear desirable, ought not to have been attempted in the present case, because it would have been impossible to accomplish it, without protracting the negotiation to a length that would have been inconsistent with the interests of the states of Europe. The articles in all these treaties must have been all gone over, if any of them were noticed; in the course of which a thousand explanations would become necessary, and which might have made the negotiation in many respects appear to some idle and ridiculous. But there were other considerations which, he hoped, would operate on the conduct of those who may have the future conduct of the affairs of India; and they related to other powers as well as to the French and ourselves in India—we were not to consider merely our own concerns and those of France in India. He stated it as a solid ground of consideration for the East India Company, to regulate, not only the trade of the French, but to look to the regulation of other subjects, to have an eye upon other commercial connexions. But it might be said, Why not stipulate these things in negotiation, and finally determine them by treaty? To which he would answer, It is much better as it is, for at present we have the sovereignty of India; and he would ask, if it appeared to any Member of that House, to be a wise course to exclude the Government of this country from all discretionary power to regulate the trade of India? If the French, or any other power, should claim the right of carrying their goods up the Ganges, or to do any other act, was it not sufficient that we had the power to prevent them? The French trade in India, the Dutch trade in India, and the trade of other powers in India, might go hand in hand, so that it was not detrimental to us; but if detrimental to us, we had the power to stop it, and that was enough for our present purpose at least. He wanted this subject to be considered upon a large and comprehensive scale, and not confined merely to ourselves and France. He did not mean to pretend, or to insinuate, that he was in possession of the reason which actuated his Majesty's Servants upon this occasion, when they came to the conclusion which was now before the public; but he felt himself entitled to state, that if they had done that which some Gentlemen blamed them for not doing, they would have put it out of their

own power to do their country much service, which they will now be enabled to render, by consulting those who are best qualified to advise them, and that more especially on the affairs of India. But, when he heard it said, that France was hostile in its disposition towards the trade of this country, and was endeavouring to prevail on Holland, Spain, and other countries to do all they can to discourage our trade, and to prohibit some of it in their dominions, he would ask are they so? And if they be, is this the precise period in which you would make them a voluntary gift of commerce to India, when you are doubtful in what relation they chuse to stand with you with regard to other commercial connections? "I own," said he, "this is a subject on which I feel deeply; I have it much at heart, and when I say that I am sure there is not one man in this House who would feel more sorrow than I should, if I conceived it possible for you to surrender any one of the rights of which I have been speaking; at the same time I feel these reasons I have been stating. I desire not to be misrepresented; I am one of the last men in the world, my conduct I think proves it, who would wish to plead for the system of this country narrowing the trade of foreigners in India; ever since I thought I understood any thing of the affairs of India, my maxim has been to enlarge that trade, and that we might as well attempt to prohibit any foreigners from buying our manufactures of Yorkshire or of Birmingham, or any other manufacture of this country, as prohibit foreigners from trading with our territories in India. But I should guard against misconception of this opinion of mine. When I say we should not prevent the French, or any other nation, from trading with our territorial provinces in India, I mean to say, that I am not afraid of them as merchants—I am not unwilling to give them a boon as merchants, with a chance of reciprocity, and I ask no more; but I think I am not going too far when I desire this country to guard against that which I know the French have endeavoured to make, and will endeavour to make, if they see any probability of its success, I mean an incroachment on your sovereignty in India. This they have done, and if an opportunity offers, this they will do, under the pretence of pursuing trade. They will ask you civilly, for in no other way can they ask it, to allow them to do a number of things for the purpose of carrying on trade, when their object will be to encroach upon your sovereignty. It was in this way they formerly endeavoured to incroach upon your sovereignty in

in 1787; when they told us they could not recover their debts without certain enlargement of power in India; we resisted that directly; and I hope this will be the conduct of this country in future. The very first article insisted upon by Lord Auckland, in 1787, was, that nothing in the most distant degree touching our sovereignty in India, would, on any terms or conditions whatever, be assented to on the part of this country. I hope it is not presumptuous in me to say, I trust his Majesty's Government will adopt the same principle, and stand upon the same ground as we did then, and if we do so, I will venture to say there will be no danger; depart from that principle, and your sovereignty will be first undermined, then attacked, and perhaps finally overthrown. As to what may be attempted by France, even with all your caution, I cannot say you will have no difficulty, for I am not going to be guarantee for the moderation of the French; but what I contend for is, that you have now better means than you would have had by the renewal of any treaty, better means than you ever had, of preventing incroachments upon your sovereignty in India. But we have not before us any proof, nor is it insinuated, that the French nation themselves are bringing forward any such claim as we hear stated on their behalf: will it not be time enough, when they do bring forward those claims, for Government to resist them?—But, surely, when we agree, that their claims are dangerous and cannot be admitted, it is singular to pursue this as a subject of declamation in the Houses of Parliament. I say, this ought not to be done; for we all know that what passes in this House, or in the other House of Parliament, transpires to the people of this country; and I cannot concur with those who wish to make the people of this country think the peace a bad one. I am certainly one of those who cannot give an approbation of all the articles of peace; but is it doing good to this country to keep this question up, and to endeavour to make the people dislike it? Gentlemen complain of the pride and arrogance of France: Is this the way to make her less proud or arrogant? Certainly not—and therefore, I cannot see the wisdom of stating these claims, which we all know and feel cannot be admitted, and which nobody asserts to have been made." Mr. Dundas then refuted the observations of Dr. Laurence, on the subject of the danger to us in the Eastern Seas, and on the apprehension which he expressed concerning the claims of the Dutch, and then concluded thus:—"I have stated what

what appeared to me to be the true substantial rights and interests of this country on the subject of Indian affairs; upon these rights and principles I desire to stand, and I have stated what course I think this country ought to pursue to preserve those rights entire. I am aware that by so stating them, and by so recommending the course to be pursued, that I impose on the shoulders of his Majesty's Government an awful and tremendous responsibility; for if you depart an iota from your sovereignty in India, and allow others to encroach on you, or any way to diminish the force of that paramount sovereignty, you will lay the foundation of the overthrow of your power in India. If, being possessed of that mighty Empire, and of the means to assert and vindicate your right, you allow others to injure it by any act of executive government, I shall not receive any apology for the Ministers who shall suffer that to be done under any pretence that the French had claimed these things before, or under any other pretence whatsoever, because you are now more than possessed of means to prevent it. I apprehend the learned Gentleman who brought this subject forward is of the same opinion, and I hope he will concur with me in saying, Ministers, if they allow our sovereignty in India to be touched, will be without an apology, and that therefore he will now be so good as to put his motions in his pocket. It is my solemn conviction, that if we were now to give way to these hypothetical cases which are stated, and entertain these motions, instead of strengthening we should weaken the rights of the British Empire."

Mr. T. Grenville said, there must have been a broad line of misconception between the view of the subject taken by the right honourable Gentleman (Mr. Dundas) and his, before the right honourable Gentleman could have stated it in the manner he had done. The right honourable Gentleman had stated doubts as to the propriety of this motion, because, whether our claims were to be decided by negotiation or by the sword, surely, said the right honourable Gentleman, it was not wise to bring forward doubts relative to our own claims, which were perfectly clear. He agreed with the right honourable Gentleman in this point; but how did the argument apply to France? The right honourable Gentleman had asserted, that this country possessed a clear right of sovereignty in the East Indies; but having stated this, what did the latter part of his speech refer to, that the claim which England has asserted, has been and is disputed; how, there-

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fore, did the argument of the right honourable Gentleman apply? He did not state doubts, but that at all periods, France had disputed our claims in India. Of what consequence to the question were the victories and conquests of Lord Clive, or the sovereignty we obtained in India?—that sovereignty, as well as whatever rights we claimed, were still disputed by France. He did not mean to say that this country and France were in a continual state of war, but the latter never abandoned her claims, and this state of things produced the convention of 1787, which was a compromise of claims. His right honourable Friend (Mr. Dundas) had stated, that the non-renewal of the treaty of 1783, and the convention of 1787, was more advantageous to this country than the renewal of them would have been: this was the first time, he believed, that his right honourable Friend had sat in judgment on the treaty of 1783. He desired to know, however, whether in many situations it was not more advisable to possess a limited right by convention, than to rest upon a general, but unacknowledged right, because, by obtaining a limited right by convention, we obtained at the same time a recognition of this original right? His right honourable Friend had asked, what advantage was to be derived from laying a few scraps of paper on the table? This put him in mind of a question formerly asked on a subject relative to the East India Company: What was a charter? a piece of parchment with a seal at the end of it. This mode of argument, however, could not do away that consideration to which important documents were entitled. The object of his honourable Friend (Dr. Laurence) was to shew what France might claim against this country. With respect to the navigation of the Eastern Seas, his right honourable Friend (Mr. Dundas) had treated this subject with considerable levity; he could not consider it as a matter which ought to be treated with levity; it was not the claims of the Dutch Republic, as settled by treaty, that formed the object of consideration; but his honourable Friend (Dr. Laurence) had stated the dangers which might result from the claims of the Dutch Republic, in its present state of servitude, when it could only be considered a member of the French Republic, and as identified with France. He expected that some objection would have been made to the production of the papers moved for by his honourable Friend; but instead of this, he could hear nothing but a laugh against it, and an advice to his honourable Friend to put the motion into his pocket.

poCKET. To such a sweeping kind of argument it was scarcely possible to give any answer. The House would recollect that no doubt was thrown upon the claims of this country: he admitted that they were clear, but were they clear and undisputed? This was the point. The right honourable Gentleman had spoken as to the prudence of stating the claims which France might make relative to our possessions in the East Indies; but as to the cession of the Cape and Cochin, his right honourable Friend had not said a single word. Was it a light matter, that the Cape and Cochin should be put into the hands of France, before we knew the disposition of the enemy with respect to India, and that France should assert her claims with the Cape and Cochin in her possession? If this was thought a matter fit to be discussed, now was the moment for discussion. These observations were not made for the purpose of querulously objecting to the treaty of peace; no such thing: he wished to call the attention of the House to the danger hanging over the country; how was it to be relieved, and by what suggestion of human prudence? Was it wished to ask the enemy if he agreed to our right of sovereignty in India, and would they give him the Cape and Cochin to know whether he agreed to it or not? and if he did not, were they in as good a situation as before? When all former obligations were done away, was it not necessary to resort to new conventions? None were now offered in the place of those abrogated; and did the House feel secure in this situation? Was it not necessary to know the intentions of France with respect to India? It was not likely that twelve months would pass before either France would make claims in that country which we could not agree to, or this country would exercise rights there which France would resist; was it then prudent in this country, before she knew the disposition of France with respect to this subject, to give out of her hands the Cape and Cochin? No argument whatever had been adduced against the motion, which he should certainly support.

Lord Hawkebury said, the right honourable Gentleman had wholly mistaken the argument of his right honourable Friend (Mr. Dundas), as well as the state of the question. His right honourable Friend had stated the clear rights of sovereignty which this country possessed in India, but the right honourable Gentleman, whilst he admitted this, observed that France had doubts upon the subject. There was no ground to suppose that the French themselves entertained any doubt upon the

the subject; it was perfectly true that they had made claims, but upon what ground? On the ground of ancient firmans, and on the treaties of 1783 and 1787: if all these were done away, they had no ground whatever. This country had acquired the sovereignty of Bengal, Bahar, and Orissa: this sovereignty had been acknowledged *de facto* by the governments of Europe, and more especially by France. Let them look at all the proceedings and transactions relative to the different negotiations which had taken place upon the subject, and they would find that France had always called the British Government in India "The Government," and had relied upon that Government for the decision of the claims which they had made. This country came into possession of the sovereignty of India at a time of peace with France, when we had to fulfil those engagements or firmans made by the Great Mogul to France, from whom we derived the sovereignty. The firmans at that period were to be considered as in existence; and the question was, what privileges they conferred? He believed the fact was, that they merely gave certain indulgences with respect to trade. These firmans were engagements of the Great Mogul; which became as our own engagements when we entered on the sovereignty, and if they were to be considered as treaties, they were clearly put an end to by the war which ensued between this country and France. If they looked to the peace of 1783, they would find that it did not renew those firmans, but it offered additional evidence of an acknowledgment *de facto* of our sovereignty in India. France had brought forward claims for the establishment of a free and independent trade in India, but upon what authority? On the 13th article of the peace of 1783, she said, she had a right to bring forward those claims; founded upon the ancient firmans, and this was in consequence of the loose wording of that article of the treaty. This gave rise to the convention of 1787, which was again an acknowledgment *de facto* of our sovereignty in India, and which was explanatory and restrictive of the 13th article of the peace of 1783. France had completely acknowledged our sovereignty, and was as completely subject to it as any power in India, and certainly by the non-renewal of former treaties, those treaties being abrogated, France was placed on the same footing as other powers in India. The right honourable Gentleman (Mr. Grenville) had asked if France might not bring forward those claims which she had formerly urged; she might bring them forward, but he would state

that if there was any point in which France was less likely to bring forward such a claim, this was the moment, and he stated this amongst other considerations in consequence of several points which passed in the course of the negotiation. With respect to the navigation of the Eastern Seas, which had been alluded to, the Dutch had engaged not to interrupt our navigation in those seas, which it was true was of little use, but as the article was originally worded, they were not to interrupt our trade there; the word trade, however, was struck out in the course of the negotiation, and the article was in consequence confined to our navigation, which was of little advantage. He thought it unnecessary to enter more at large into a discussion of these points. With respect to the papers moved for, there were some to which there might be an objection, others had been presented before to the House; but after what had passed, he thought it was sufficient to say that there was no ground of inquiry, in order to negative the motion.

Mr. Jones said, he supposed those gentlemen who were attacking all points of the definitive treaty, would next move for papers relative to the Republic of the Seven Islands. He wished to know how it was possible for Ministers to have entered into the consideration of renewing treaties after the greater part of Europe had been disorganized, after the total alteration that had taken place in the relative situations of States. To renew, or rather to amend former treaties, would have occupied a period perhaps of thirteen months, during which time the public must be kept in suspense, with regard to the fate of that treaty of peace to which he hoped the House would, on the following day, give its approbation. He could not avoid expressing the satisfaction he felt at hearing the observations of the right honourable Gentleman who lately presided over the affairs of India. They gave him consolation, and relieved his mind from all anxiety on the subject of the peace.

Lord Temple supported the motion, and contended, that this country would have derived material advantage from the renewal of the former treaties. The motion was then put and negatived without a division, and was followed up with motions for the following papers, which met the same fate. The Doctor introduced most of them with a speech. An account of the customs of Bengal, distinguishing each year, since the acquisition of the Duwanne. The price of salt, as fixed by the Governor General at Calcutta in the year 1768. An

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account of the revenue arising from the acquisition of Dutch
territory to the present time. The quantity of substance sold
by the Company's agents during the same
time. All paragraphs in dispatches from Bengal touching
the claims of the French, from 1763 to 1787. A copy of
the Governor-General's Minute at the Secret Consultation,
on the 3rd of July 1773. A statement of the claims of the
Dutch to the navigation of the Indian Seas, previous to the
year 1784; and a copy of the treaty of alliance entered into
between the French and Batavian Republics in the year
1795.

Dr. Laurence then moved for a statement of the claims of
the Dutch to obstruct the free navigation of British subjects
in the Eastern Seas.

Mr. Nichols opposed the motion, which was negatived
without a division.

Dr. Laurence then moved for a copy of the treaty entered
into between Holland and France in 1795.

Lord Hawkebury said, that treaty could not be officially in
the possession of his Majesty's Ministers, as it was a treaty
between two powers then at war with this country.

Mr. Jones opposed the motion, which was negatived.

The Chancellor of the Exchequer expressed a wish that a
motion, which stood for the next day, respecting the impor-
tation of negroes into the island of Trinidad, should be pos-
tponed till a future day.

Mr. Pitt, in the absence of his right honourable Friend
(Mr. Canning), consented to postpone the motion till Friday
evening.

The report of the bill for improving the port of London,
was brought up and agreed to.

The post-horse duty bill was read a second time, and or-
dered to be committed the next day.

The other orders of the day were then postponed, and the
House adjourned.

HOUSE OF LORDS.

THURSDAY, MAY 13.

Lord Grey moved the order of the day for the House
to take into consideration the definitive treaty.

Lord Stanhope requested previously to say a few words.
There were two grounds on which the order might be op-
posed; one by entering into a debate upon it, and the other

by moving to discharge it. He should not move the reading of the order for the purpose of postponing it. It had been stated, no matter where, that the definitive treaty ought never to have been entered into—that circumstances had taken place between the signing the preliminary and the definitive treaty, which had entirely changed the relative situation of the two countries as they stood at the time the preliminary treaty was signed. The argument was founded principally on account of Bonaparte's having been appointed Chief Magistrate of the new Italian Republic. By the argument it was inferred that this was an act of dishonour on the part of the Consul; and that as he had acted dishonourably in keeping the Presidency of the new Republic, it was not to be expected he would hereafter act upon a different system; insinuating to the people of England, that from the character of the man who was at the head of affairs in France, there was no reason to expect a continuance of the peace. He felt it his duty to combat such an argument. He maintained that after the battles of Marengo and Hohenlinden, and the subsequent treaty with Austria, the influence of France over Italy was complete, and whatever alterations had been since made were mere matters of form, and not of substance. He should ever be ready to assert this doctrine. His reason for withholding the order of the day to be read, was not with a view to defer it, but that he might communicate that information to their Lordships which he thought important, before the subject was discussed. He should first move the reading of the 130th standing order of the House for the exclusion of strangers. Meaning to justify what he proposed to do, he should move to enforce that standing order.

The Earl of *Morru* entreated the noble Lord not to persist in his motion. It would be an exercise of privilege which would go abroad with dismay to the public, and would be indeed highly inadvisable at a time when a measure, the most important that ever was argued, was on the point of being brought forward—a measure in which every individual was concerned. It would be impolitic to shew the least suspicion on the subject, or to manifest that policy which would put it out of the power of the public to judge of the arguments offered to the House. The question of the terms of peace was one which ought, if possible, to be argued in the presence of the whole nation. At least, it ought to be rendered as dispassionate as circumstances would admit. He there-

fore

fore earnestly hoped the noble Lord would not enforce the order.

Earl Stanhope said, the noble Lord, for whom he entertained great personal respect, had known him long enough to be convinced that he never formed an opinion but slowly and deliberately, and that, having once formed it, he was never very apt to give it up but upon conviction. So far from wishing to exclude the public from hearing the debate, it was his intention almost immediately to move that the order of the day should be read; but before it was read, he was entitled to speak, and the facts he wished to state to the House were of so delicate and important a nature, that he must persist in enforcing the order.

Lord Mulgrave rose, but he was interrupted by

The Lord Chancellor, who stated that the standing order must be enforced, as a noble Lord had thought proper to require it.

[Strangers were ordered to withdraw, and were admitted again in about half an hour—] when

Lord Grenville was speaking. His Lordship said, he should offer no apology for having exerted his endeavours that their Lordships might acquire previous information upon the different points to which the definitive treaty referred. The necessity and propriety of his conduct was so firmly impressed on his mind, that he was surprised at any insinuation of irregularity. The fact was, himself and his noble Friends had put the House in possession of arguments against the treaty, while those whose duty it was to have stated their reasons in its favour, had not thought proper to defend it. The unfairness and irregularity, if any, was on the side of those who had reserved the detail of their arguments to a general debate, in which it was impossible to come to an issue on the various points connected with the subject. He was far from wishing to impute unfairness to any of their Lordships. They had considered that discussion should not precede decision—he had thought that the most favourable thing he could do with regard to the House, was to court repeated discussion previous to decision. In this situation the question was now submitted, and he rose to offer such a motion as resulted from the sentiments he entertained. In doing this, the first argument with which he had to contend was one which had equally been resorted to in and out of the House. It was asked what was the use of discussion now when peace was concluded? Was it wished to overthrow the

was

was necessary to advert to the arguments which had been advanced against the preliminary articles, and the events which had taken place since. He had already stated to the House his objections to the preliminary treaty; If the definitive treaty had been conformable to the preliminary articles, and the relative situation of France and Spain had not altered by intervening circumstances, however he might have been disposed to have protested against the definitive treaty, he should not have thought it necessary to have proposed to the House the adoption of any new measure; but he found that all the grounds of the pretensions on the part of France as contained in the preliminary treaty, had not only been confirmed by the definitive treaty, but exceeded. The terms of the latter were therefore infinitely more prejudicial than the former. He could not avoid calling the attention of the House to what had been the arguments used against the preliminary articles. It had been stated, that in all negotiations for peace there were two grounds or bases necessary to be adhered to: When after a long contest between the two nations, the respective Governments were considering how they might restore the blessings of peace and tranquillity, the basis on which the negotiation proceeded was either the *Status ante bellum*, or the actual situation in which the parties stood before the war, or the situation in which they stood at the time of the negotiation, which was called the *uti possidetis*. Instead of the negociators of the definitive treaty proceeding distinctly upon one of these grounds, they had applied both in the most prejudicial manner possible to this country. They had referred to the *Status ante bellum* with regard to England, by giving up all she taken during the war, to France; and they had adopted the *uti possidetis* as to France, by leaving her in possession of all she had acquired. It was obvious that at the commencement of the negotiation, each country was in possession of some advantage which operated to the disadvantage of the other. It was to our disadvantage that France possessed so much power on the Continent, and it was to the disadvantage of France that we, by the superior skill and valour of our navy, were possessed of the colonies of France and Spain. The arrangement to have been desired was, that we should have diminished the power France upon the Continent, in proportion to our sacrifices with respect to the colonies we had taken. If France could not have been persuaded to that, then it was our duty to have extended our maritime power, for the purpose of compelling her. As far

as appeared by the treaty, Ministers had made no attempt whatever to reduce the power of France on the Continent, but had, by concessions abroad, given her the means of weakening our colonial strength. This was not acting upon the principle adopted by Lord Chatham, at the peace of 1763. That enlightened Statesman had always considered that every preliminary treaty should be as definitive as possible. If the preliminary articles of 1763 were compared with the definitive, it would appear there was scarcely any difference between them; while the direct contrary was the case with regard to the present treaty. By the incapacity of the negotiators, they had left themselves to treat with France during the pendency of a naval armistice rather than a peace. The question before that armistice was, whether this country would suffer the fleets of France, which were blockaded in the mouths of their harbours, to stir out. But what did occur immediately after the preliminary treaty? In direct opposition to our entreaties and threats, France sent an armament to the West Indies, and imposed on this country the necessity of also sending to the West Indies a naval force more than double to any we had sent during the war. Thus the first fruits of the peace was the necessity of keeping an armament of thirty-five sail of the line in the West Indies. He would not enter into the pretence, on the part of France, for sending the expedition she did send; nor would he discuss the question whether it would or would not be better for this country if St. Domingo was under the dominion of France. He should only observe, that the more urgent and pressing were the wishes of Bonaparte to send that armament, in proportion ought it to have been the policy of the negotiators on the part of this country, to have insisted that the French fleet should not have sailed till the preliminary articles were converted into a definitive treaty, and until he had afforded a conviction that he had no intention of obtaining such a cession as he had since obtained in Italy. Some thing had been said of the time and temper in which the peace had been made on the part of France, and that it afforded a proof that the person at the head of the French Government had become a harmless inoffensive neighbour, and wished to shew how much he had been misrepresented, when it had been insinuated there were no bounds to his ambition. He would leave it to any man to say, whether, if peace depended upon the disposition of the republic, we should enjoy it even for the length of time the present debate would occupy

copy. It was evident the definitive treaty contained concessions infinitely more important than the preliminary articles; and it was no less true, that the conduct of the French Government evinced a design to exclude the commerce of this country from the Continent of Europe. With respect to the situation in which Portugal had been placed by the definitive treaty, the House had been merely told that it was a pity it should be so; and with regard to the Prince of Orange, their Lordships were informed by one of the Servants of the Crown, that he looked at the articles concerning that Prince with regret. The indemnity to the Prince of Orange was left in such a situation by the treaty, that it depended entirely upon France whether he should ever be indemnified or not. As to the Cape of Good Hope, not a word had been said, whether it would be advantageous to have it a free port or not. Why, after having stipulated that Malta should be independent, and that its independence should be guaranteed by one of the powers of Europe, competent to its protection, was it placed under the guarantee of six powers, who never could be brought to agree upon the subject of it. It was restored indeed to the order, but it was put under the guarantee of six powers, who, he would venture to say, would never agree in any one point, much less agree on any thing respecting this most important island. It was therefore a futile arrangement, and contemptible as to the security which it offered to England. He had stated the whole revenue of the island of Malta to be about 34,000*l.* of which, however, only about 8000*l.* came into the coffer of the Knights. The rest went to the maintenance of their hospitals, priests, &c. Since he had last spoken on this subject he had gained a more accurate account of their finances. It turned out that the total expence of their establishments, their garrisons, fortifications, and outgoings of every kind amounted, on an average of ten years from the year 1788, to about 130,000*l.* per annum. Their revenues to defray this expence came to them from different nations, where the order had property.

The French langue produced

£.58,000

This arose out of the domains which they possessed in France, and which have been all confiscated.

The Spanish langue produced

27,000

Arising out of two convents, which have been also confiscated.

This amounted to no less than

85,000

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Of the remaining 45,000*l.* the langues of Italy produced about 25, or 25,000*l.* springing out of their property in Piedmont, Sardinia, Lombardy, &c. which were also confiscated; so that they only had the langues of Naples, Portugal, and their own 8000*l.* amounting altogether to about 20,000*l.* to support an establishment of 130,000*l.* It was idle and ridiculous therefore to talk of the order of Malta. It was extinct as a power. The whole would come under the influence, and indeed into the pay of France. The grand master would be elected by their nomination, and the whole order would be subordinate to them. The next point objected to by the noble Lord, was the marked difference in the treaty between the proprietors of property in the islands ceded by England in the West Indies, and those ceded by France or her allies. The French proprietors were to be allowed to transport themselves and their property without molestation. But the English were to be subject to such regulations as the French should think necessary. Why not make the provisions mutual? His next objection was, that the British claims on France were abandoned. A fallacy was practised upon us. After maintaining their prisoners on actual convention, it was settled that their Russian prisoners, whom they gave up, not only without our concurrence during the war, but armed, clothed, and destined to act against us by a positive stipulation, were to be set off against our claim! It was a fallacy of the most audacious kind; we were to be made to pay for men armed, clothed, and destined to act against ourselves! His Lordship contended, that by the non-renewal of the treaty of Utrecht, this country had renounced the right that France should not acquire in Spanish America any privileges with reference to commerce that were not granted to England. It was needless to urge how much more important such a stipulation would have been at the present moment than at the period of the treaty of Utrecht. By the treaty of 1783, we had ceded Goree and Senegal, but at the same time the cession was under a stipulation for the liberty of carrying on the gum trade, but now the cession had been confirmed without the renewal of the stipulation; that it was the intention of France to make war against our commerce was evident from the circumstance of a decree having been issued by the Government, forbidding the right of trading on the coast of that part of Africa. He should be glad if the suggestions he had stated could be repelled. If their Lordships could be satisfied that the definitive treaty would not prejudice the rights of

of this country; then if he could not approve of it, he should be ready to admit, that the preliminary articles having been approved by Parliament, it was bound to sanction the definitive treaty. It had been acknowledged that the possession of Italy by France would justify a recurrence to a state of war: this was not his own argument, but the admission of the Secretary of State. He now entreated the attention of the House to the situation in which the country stood at the time of the commencement of the negotiation. It was in a state of war, but under circumstances calculated as much as possible to alleviate its inconveniencies. We had acquired the possession of colonies to an immense extent, which were valuable, not only from their military situation, but by affording the means of carrying on the war itself; the produce of the West Indies had been 2,000,000*l.* annually, from which a very considerable revenue had arisen; this resource was lost. We had by our naval power obtained such a preference, that the fleets of France could not stir; now they had been suffered to proceed to the West Indies; and we were compelled to send an expensive armament to watch them. We were also in possession of resources sufficient to have enabled us to have carried on the war till we had obtained just, adequate, and reasonable conditions of peace. Had we availed ourselves of them? No; we had left to France the whole preponderating power of the Continent, and had confirmed her in the possession of Italy. We had also added to France possessions of considerable importance in India, but had omitted to stipulate that they should not be fortified. But what was of infinitely more importance, our right of sovereignty in India, so clearly and explicitly recognised and acknowledged by France in the year 1787, was set loose by the non-renewal of that treaty in the definitive articles, and once more reduced to the form of a disputable claim. He must, and he trusted that his Majesty's present Ministers even would maintain, resolutely and firmly, that the sovereignty of India was the undoubted right of Great Britain; but he could not help noticing an extraordinary argument that had been set up in another place, viz. that our right of sovereignty of India stood on a more safe and secure basis, because it had not been specifically recognised in the definitive treaty, than it would have done if it had been therein recognised. This was to him a new and singular mode of reasoning, and the more so as the noble Secretary of State for the

out WOODFALL'S PARLIAMENTARY REPORTS. (Lord, war department, had in a debate on a motion for papers lately, as he understood him, said that no explanation had taken place at Amiens on the subject of India. We had given up to Holland the town and port of Cochin; a situation which the French would avail themselves of for the purpose of intrigue—one in which we should have most to apprehend from the attempts of France, and least be able to counteract them. His Lordship maintained, that it was necessary for the safety of our Indian possessions, that this country should have retained the sovereignty of the Cape. In order to be able to bring home our commercial fleets from India, or to send out troops, it would be always necessary in time of war, to send a convoy with every fleet, and consequently our Squadron in the channel would be considerably weakened by the number of ships necessary to be employed in the passage to and from India, as well as in guarding against the danger of the French, Dutch, and Spanish united fleet at the Cape, or in the Indian Seas. In time of war, how was a single regiment to be sent? It was true that troops might be sent directly from Great Britain to India without touching at the Cape; but in such case they would not be fit for service for many months after they had landed. But the advantages we possessed in the sovereignty of the Cape was this: when the war broke out in the Mysore with Tippoo Sulthan, we sent a corvette to the Cape, from whence a force of fresh troops were dispatched fit for immediate service; landed, marched up the country, and were present at the siege of Seringapatam. It was not, he believed, too much to say, that by ceding the Cape to Holland, we had in point of fact ceded it to the power of France. In the West Indies we had restored to France Martinique and Tobago; and had facilitated the means of recovering Saint Domingo. She was besides in possession of Louisiana, and the fruitful country of Florida; for it was a circumstance too plain to admit of a doubt, that Spain never could keep Florida while France had possession of Louisiana. In addition to these advantages, she had the means of entering Mexico at any time. Such was the comparative situation of France and England in the East and West Indies and America. How did we stand with respect to the Mediterranean, the next seat of our naval interest? Our naval superiority in the Mediterranean was most important, but his Majesty's Ministers had placed the country in such a situation, that he desired any one to tell

tell him how a single ship could be sent to the Mediterranean. By this policy they had dispossessed the country of Majorca, Minorca, and even the island of Elba, which could only be useful to France for the purpose of excluding us from Leghorn. We were thus destitute of the means of maintaining any fleet in the Mediterranean. His Majesty's Ministers had put it out of the power of the King of Sardinia to open his ports to an English fleet. It was owing to the assistance afforded by the King of Naples and Sicily, Lord Nelson had been able to resist that fleet, which had effected the overthrow of the French armament at Aboukir, and disappointed the gigantic ambition of France. What was the return the English Government had made to him for his assistance. It had stipulated that the French Republic should evacuate his dominions, but had not provided that it should not return whenever she thought proper. The inevitable consequence of such policy would be, that France would obtain the possession of Naples, and in the end we should find ourselves excluded by France from the whole commerce of the Levant. Every object of importance obtained by the valour of our navy had been surrendered by the counsels of those Ministers, who had made them pass into the hands of France. Now to address their Lordships on the subject of the defence made to these various charges; the defence rested on the ground of imperious necessity for peace. In this defence, the noble Lord who had advanced it was at least consistent, because he had uniformly maintained that the country was not in a condition to strain every resource to carry on the war, but his Majesty's Ministers denied the existence of any such necessity. If it was true that the country was under circumstances of imperious necessity, it was not astonishing the definitive treaty should have been agreed to; but what security had we that France would suffer us to recover from that state of necessity to which she had reduced us. Such a plea on our part would only furnish a pretence for going on from sacrifice to sacrifice—from loss to disgrace—till at last we had nothing to contend for. It was to prevent this he had brought forward the present motion, from which he was persuaded every advantage would be derived. It would have the effect of declaring to the public and to the enemy, that the country was not reduced to the necessity of making a disgraceful peace; in fact, such an argument as that founded upon necessity, could not be raised by any country that was not prepared to receive the yoke of a conqueror. The question

tion was, whether the advantages of the peace were greater than the disadvantages of the war. If it was expedient to have made this peace, it must have been so from the consideration that some advantage was obtained by it. The advantages might possibly be said to have proceeded from the extension of our commerce, or it might be by enabling the country to adopt a system of economy, or it might arise from our having obtained some security for the continuance of peace. He should consider these points separately. With respect to our commerce, the peace must evidently have operated to the diminution of it, as we must expect the maritime States to have their share of it; that in support of this proposition, he referred to many observations respecting the acquisition of commercial power by France under the definitive treaty. Upon the question of economy, he contended, that in order to be able to husband our revenue, it was necessary that we should be able to protect it; with this view, he recommended Government to keep a large naval and military establishment in a constant state of discipline. With regard to any naval establishment in the Mediterranean, Ministers by their conduct had rendered it impossible to send a fleet there. It was with peculiar satisfaction he understood it was the intention of Government to adopt the necessary measures for having a large Channel fleet ready for actual service at forty-eight hours notice. With respect to security having been obtained for not going to war again, he could assure the House that no man wished more than himself that such might be the case. If it was not so this country would have to commence a new war under every circumstance of disadvantage; if at the end of three campaigns we recovered what we had given up by the treaty, he should think we had made a most glorious war. Such was the situation in which the country stood, and he flattered himself that the House would concur with him in the propriety of considering how we might best resist the danger that threatened us. He feared the spirit of the country would be broken, unless timely exertion and firm remonstrance were adopted. He had deemed it necessary to desire the House to carry a declaration to the foot of the Throne, containing a resolution that the House was ready to attend to every practicable economy calculated to enable this country to resist every future attempt on the part of the enemy; but that in order to do so, it would be necessary to have a scale of defence sufficient to meet the danger. The noble Lord next adverted to the question

question of the right of the British flag in the navigation of the eastern seas, and the claims of France and Holland to carry on a free and independent trade. He observed, that although this country might be disposed to treat such claims as ridiculous, Holland and France might not do so. If it should be necessary to maintain a war in India for the sovereignty of the territory, he should consider such war as just and necessary; but the question was, whether France and Holland would entertain the same opinion: perhaps the very ship that carried out the orders to give up the factories to the French, might bring back an account of actual hostilities. He deprecated the consequences of a war in India, particularly at a time when the East India Directors had stated that the Company was too poor to instruct their own servants in the rudiments of their business. His Lordship again adverted to the impolicy of suffering the treaties to expire, recapitulated his arguments, and expressed his intention of introducing into the address a hope that no time might be lost in settling by amicable adjustment those points which had not been arranged by the definitive treaty. He concluded by moving, that an humble address should be presented to his Majesty, assuring his Majesty that this House would take into its most serious consideration the treaty of peace, which his Majesty had been graciously pleased to communicate: that the House acknowledged with all due humility his Majesty's prerogative to make peace or war; and that it should be its first duty to maintain inviolate the public faith, as pledged by the treaty of peace, and to assist his Majesty in performing the engagements which his Majesty had engaged himself to adhere to: that the House could not conceal its awful apprehensions at considering the situation which had been the result of the treaty of peace: that it could not forbear offering his Majesty their thanks for such provisions as had been adopted to avert the danger: that it was impossible for the House to see without alarm, the circumstances that had attended the conclusion of the present peace, by which sacrifices had been made on the part of this country, without any corresponding concession on the part of France: that numerous subjects of clashing interests had been left unsettled: that in the moment of peace we had seen indubitable and convincing proofs of the ambitious projects of our rival: that these considerations had imposed on the British Government the necessity of measures of precaution: that the House relied on his Majesty's wisdom to be watchful of the power

power of France, and humbly thought it necessary to assure his Majesty of its ready and firm support in his exertions in resisting every fresh encroachment on the commercial rights of the British empire: that it was desirous of a system of economy consistent with a naval and military establishment adequate to the danger of the country: that it was actuated by a sincere wish for peace; and, impressed with that sentiment, earnestly wished his Majesty, by amicable adjustment, to arrange those points which had been left unsettled by the definitive treaty.

The *Duke of Norfolk* rose to express his decided opposition to the address just moved, and his disapprobation of the tendency of many of the arguments which fell from the noble Lord; as an individual Peer, he sincerely thanked those who brought the blessings of peace to the country, and which he seemed to think was in a great degree to be attributed to the removal of the late Ministers from his Majesty's councils. He urged their Lordships not to countenance the proposed address, which would otherwise create the most unfavourable effects throughout the country; it was, in fact, calling upon them to go to war again, and telling France, with whom we had concluded a solemn treaty of peace and amity, that we meant to discuss every point therein which was left to future arrangement, in a way little short of having a drawn sword in our hands. He did expect to hear of some great and material difference between the preliminaries and the definitive treaty, but such was not the case. It was not with a reference to the way in which former treaties were settled; or the opinion of statesmen in former times, who acted under circumstances very different from the present, that the treaty before them was to be considered. All the circumstances of the case should be looked at, and we should judge of the merits of the treaty with reference to those. He expressed his hope that we should not go to war again for particular stations in the Mediterranean, or for such small spots as the isle of Elba, &c. Under these impressions he would move as an amendment, that all the words in the address, after "humbly advise," should be left out. On this amendment the question being put,

Lord *Pelham* rose, and in an able and argumentative speech of some length, observed upon the material points of the noble Lord's speech who moved the address; he did not feel it necessary to follow the noble Lord through the wide field of argument into which he had entered; as deeming many of the

the point irrelevant to the real question before the House. His Lordship glanced at the mode in which the discussion had been introduced, and seemed to expect a degree of surprise at the nature of the motion now brought forward by the noble Lord, as different from what he had reason to expect from what had passed; his anxiety was greater than ever that a speedy decision should take place, as, in the opinion of the noble Lord, the question of peace or war was in a manner still pending. He wished not to misrepresent the noble Lord, but he understood him to say, that the motion was necessary, in order that the people might feel that the present was a peace only in name. A vein of disapprobation of the peace was apparent throughout the whole address, and from the noble Lord's speech he collected his opinion to be, in one point of view, against concluding any treaties at all, and in another, the mode of negotiation was the subject of his censure. For his part, he thought the true question was, how far the definitive treaty was, or was not, agreeable to the principle of the preliminaries; but in the course of the discussion he considered the noble Lord as avowing himself an enemy to the peace.

Lord Grenville rose to set the noble Secretary of State right. He had not uttered a single word upon which such a construction could be put. The address exhibited a directly contrary opinion; it spoke of the conclusion of the peace; and also of the tranquillity which was established.

Lord Palmerston proceeded, and observed, that the noble Lord had certainly argued upon the commercial disadvantages which the peace had brought about, and asserted the advantages in those respects which France would gain thereby; this, he thought, was arguing against the peace. However, if he misunderstood the noble Lord, he was sorry for it. One principle pervaded the noble Lord's argument, which he thought highly unjustifiable, namely, the assumption that whatever we ceded to other countries, was in fact given up to France; and on that hypothesis much of his reasoning was founded, and he censured the manner in which the supposed dispositions of our late adversaries was alluded to in the address. He made a variety of observations with respect to the Cape and Malta, and drew conclusions with respect to their relative importance and the consequences of their cession; different from those urged by the noble Lord, and also shew that the guaranteeing powers had a strong interest in the independence of Malta. He then passed to the situation of

Portugal, in which he contended, that whatever unfavourable circumstances appeared, it was owing to unavoidable circumstances; he, however, denied the cessions to be of that importance which the noble Lord argued, and the withdrawing the British troops was a wise measure in the then state of affairs, and was productive of the happiest consequences. With respect to the Prince of Orange, he admitted, he deserved the highest attention from this country; the most strenuous exertions were made in his behalf; and with respect to what was said of his expressions of regret on these occasions, these principally referred to the disappointment of their not being able to restore him to the Stadtholderate; but, he observed, that the war was first undertaken by this country in defence of the dominions of that Prince. With respect to the differences which had taken place in the interval between signing the preliminaries and the conclusion of the definitive treaty, it was deemed not to be, upon a fair balance to the interests of both countries, a sufficient ground for breaking off the negotiation; and he observed upon what was lately said, that the proceedings with respect to Italy, were more a nominal than a real accession of power to France. He entertained not these apprehensions with respect to what the noble Lord called the claims of France; at the same time he was satisfied with his assertions of our incontestable rights to the Sovereignty in India; and with respect to the logwood and the Honduras trade, he thought our rights not in the least impaired by the recent treaty; he held the same opinion with respect to the gum trade. Drawing to a conclusion, he made some general observations on the nature and tendency of the noble Lord's arguments, as well as the particular nature of the proposed address. He felt it is duty to oppose the adoption of the greater part of it, and as he had prepared an address, which he had intended to make room for by moving an amendment to leave out all the words of the noble Lord's motion, after the words "may it please your Majesty," he would read it as a part of his speech, and probably the noble Duke might then think it right to withdraw his amendment, as what he was about to read went much farther, than the noble Duke's amendment would leave the motion.

Lord Mulgrave announced his intention of supporting the motion of the last noble Peer whenever he brought it forward. On this occasion, he had no hesitation to differ from his noble Friend (Lord Grenville) because he was conscious that he thus properly discharged his duty to his country. His Lordship,

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 "I am not certainly determined on any side and I cannot
 speak with great exactness in condemnation of the arrangement
 for Malta. He, however, thought, that every candid man
 would acknowledge the error of the noble Peer, who had this
 day, as on former debates, given the most unequalled repre-
 hension of the peace. Although the peace was not such as he
 could wish for, it was one which he should prefer to a con-
 tinuance of the war. The arguments relative to the impor-
 tance of Malta were unfounded in facts. That island possessed
 an impregnable fortress, which would in future render it
 impossible for the French to take it by force, and they never
 could have taken it had any resistance been made when at-
 tacked in 1798. The inhabitants of the island were besides
 much better attached to the English than they were to the
 French. He did not think the island would be more secure
 in the hands of Russia than of Naples; nor should he leave
 the people to themselves. It was not very likely the people
 would put the island into the hands of the French, the effects
 of whose fraternity had been already felt all over the Con-
 tinent of Europe. With respect to the events that took place
 in Italy between the signing of the preliminary and definitive
 treaties, he acknowledged there was some difference between
 the Cisalpine Republic under the influence of France; and
 the Italian Republic under the controul of the First Consul.
 But he would ask, whether the difference was of such im-
 portance as that the chance of getting rid of it would be a
 sufficient ground for breaking off the treaty and renewing the
 war? Lord Mulgrave next alluded to the claims of the
 Prince of Orange, who in this age of revolution might pro-
 bably be again established in Holland. But he would ask if
 this country had done as much as it either could or was bound
 to do for that Prince, whose misfortunes were occasioned, as
 much by his defending his own rights as those of Great
 Britain. With regard to our sovereignty in India, these
 very treaties concerning the non-renewal of which so much
 complaint was made, had tended to abridge rather than con-
 firm it. In that respect we now stand on a better foundation:
 and he could not see that any apprehensions were to be en-
 tertained from a few Frenchmen travelling from one factory
 to another in India. He would rather go at once on the
 broad principle of right to exercise sovereignty in India,
 than on the force of treaties. He saw no danger likely to
 arise from the cession of Louisiana to France; because in
 the first place, there was no riding or harbour for ships at

Mr. Orleans, to be no reflection there was no probability of the French making an attack at any time on Mexico, because the country between Louisiana and Mexico was impassable. His Lordship said, opposition to Lord Grenville, could not conceivably find any solid ground for entertaining a suspicion of the sincerity of France, so far as related to the fulfilment of the treaty, neither was he in the least alarmed for the supposed inordinate ambition of Bonaparte. He wished to be kindly understood, on the part of France, that neither the British Government nor British people had the most remote intention of violating the national faith so solemnly pledged. He saw no needless sacrifices which we had made for the attainment of peace. It could not by any reasonable man, be supposed, that, on the return of that desirable event, we were not to make some sacrifice as an inducement for France to agree to terms of pacification. Notwithstanding all the sacrifices which we had made, there still remained to us great advantages, both in the East and West Indies, by the acquisition of Ceylon and Trinidad; but he confessed, that he could not contemplate the state of St. Domingo without some serious apprehensions of danger to our settlements in the West Indies. It was evident, that whether Bonaparte subdued Toussaint, or formed a treaty of friendship with him, or whether Toussaint expelled the French from that island, the result would be the same to the British interests in the West Indies. It was also as evident, that a very numerous and powerful black army would be retained for the emergencies of the state. An army of Europeans would not be able to encounter the dangers and difficulties incident to such a station as St. Domingo. The consequence would be, that necessity would oblige us to keep up a military establishment able to cope with that of France or Toussaint. As to the resources of this country, they were certainly capable of answering every emergency of the state, even on the renewal of a war equally bloody with that which has now terminated. But our establishments ought to be in proportion to our resources, as we could not perhaps render our resources, immense as they were, adequate to prodigal establishments. His Lordship said, that his noble Friend on the other side of the House having expressed his apprehensions that the French Republic might, on account of the non-renewal of treaties, involve us in a new war, by reviving old exploded claims, someone reminded him of the Irishman in one of our comedies, who, wishing to make a quarrel, said to a gentleman that

about his own wish. "Well, Sir, what is your opinion?" for which the gentleman replied, "Really, Sir, I have not formed any opinion, but was merely thinking." "O, Sir," said the Irishman, "you may think, a contradiction is well as entering it; and a contradiction is an insult, and therefore it is as pretty a quarrel as I should desire." Thus of the French Government: if they dare think differently, notwithstanding their silence, we must, according to the desperate doctrine of certain men, proceed immediately to a downright quarrel, and thus renew the dreadful calamities of war. He loudly deprecated such rash measures, and recommended that we should embrace every opportunity of cultivating a permanent peace with France.

Lord Auckland said, that he was desirous, at this period of the debate, to pursue the intention of which he had given notice on a former day, and to enter into a discussion of the questions resulting from the non-renewal of treaties. The noble Lord opposite to him (Lord Grenville) had seemed to call it a minute discussion, at the same time that, by the detail and length of his reasonings respecting it, and by the force and eloquence with which those reasonings were urged, the noble Lord had laboured to attach to the whole subject far more importance and more doubt, than a due consideration would allow to it. When he (Lord Auckland) had said that he would restrict himself to this consideration, he felt that he was contracting an engagement to which it would be difficult for him to adhere. It could not be unknown to many of their Lordships, that the great national interests which had led to the definitive articles, and which interests were so essentially involved in those articles, had occupied, during the last ten years, a large portion of his thoughts, his duties, and his anxieties. It must then be a painful effort to him to preserve silence respecting many assertions which had been hazarded that evening. He had, however, subjected himself to a degree of reserve from a full conviction that it was best suited to circumstances. Indeed he should have maintained an entire silence, if he had not been personally concerned in some transactions to which he had alluded in a former debate, and in others to which he should now have occasion to allude. In justice to himself, he would briefly state his general inducements to the line of conduct which he had adopted.

The definitive articles on the table form the closing scene of a war, into which, as he had often asserted, not from conjecture

conjecture not from argument, but from a positive knowledge of the facts, we were unavoidably forced. We were forced into it, not merely for the preservation of other advantages; not merely for the support of those principles of civil and religious order which are essential to the well-being of mankind, but for the defence of our own constitution; and for our independence and existence as a free nation. The struggle had been long and most severe; he thought, however, took back to the whole course and conduct of it with fair national pride. With respect to dominion, we had had nothing, had had finally made and secured to ourselves acquisitions of great importance. With respect to national character, it might be said, without vaunting, that our navy and armies had been raised to a pitch of glory unexampled in all the histories of mankind. And lastly, our great object had been attained in the entire preservation of that constitution, and of those blessings resulting from the best of all governments, which our enemies, foreign and domestic, had attempted to destroy. Under this impression of the war, and of its consequences, he felt more disposed to consider the means of maintaining our actual pre-eminence among nations, than to examine, rigidly and repiningly, whether the terms of peace were such as in the course of the war he may have wished and expected. Whatever opinions, therefore, he may have avowed respecting the wise and just policy of declining all pacification till we had reduced the enormous and growing power of France, and had restored independence to the continental states:—whatever he may have thought, even since the epoch of the preliminaries, as to the expediency of continuing our exertions till we had obtained, for ourselves at least, a solid and unequivocal security:—whatever he might now think, if he were to balance the expense, pressure, and distresses of a prolonged war against the distresses, agitations, and dangers of an insecure pacification:—he nevertheless saw and acknowledged the general wish and impatience of his countrymen to withdraw themselves from a state of war; and to make the best peace that relative circumstances would allow. How that general wish had arisen was a question which he would not at present investigate. He respected the public opinion; and the definitive treaty having been signed and ratified, ought to be executed with that scrupulous honour and good faith, which are, in peace as well as in war, the best and proudest distinctions of our national character.

It was now become his duty, as a Peer of Parliament, to cast all asperity of expression in regard to the people who were lately our enemies, and promote reconciliation and to remove all probable causes of misunderstanding. With these views he had called the Lordships' attention to the effects and consequences of the non-renewal of a long list of treaties, which it had been the practice of more than a century to renew; and more especially to the separate consideration, whether it was desirable to renew the treaty of 1763 respecting the exercise and conduct of the French, or rather in the East Indies. He had looked into the works of all the first publicists on these subjects, and had corrected himself in a mistake still prevalent in the minds of many, who state, in an unqualified sense, that all treaties between nations are annulled by war, and must be specially renewed if meant to be in force on the return of peace. It is true, that treaties, in the nature of compacts or concessions, the enjoyment of which has been interrupted by the war, and has not been renewed at the pacification, are rendered null by the war. But compacts not interrupted by the course and effect of hostilities, such as the regulated exercise of a fishery on the opposite coasts of the belligerent powers, the stipulated right of cutting wood in a particular district, or possessing rights of territory heretofore ceded by treaty, are certainly not destroyed or injured by the war. On the other hand, there are cases in which treaties may be dissolved without any specific breach, and without any war between the parties. He would suppose that we had not made war against Holland, or her entire révolution and change of constitution and government. All our antecedent treaties with her would have been dissolved, by her incapacity to maintain the relations to which those treaties were meant to apply. And, therefore, it is stated by Vattel and other writers, that treaties cease whenever an essential alteration takes place in either of the contracting parties. And this doctrine will apply to our late treaties with Savoy, Switzerland, and other countries, which are temporary relations to the French Revolution. He would now state certain inferences to be drawn from these general positions, after observing that, in the definitive articles, there is not any provision direct or indirect for the renewal of treaties which had subsisted before the war. And the revolutionaries especially advert to certain points, which had been urged by other noble Lords, beyond what has been offered to be compensated by sound reason or by the law of nations.

ships. And first with respect to Holland:—It is not true that our non-renewal of the Dutch treaties will liberate the ships and vessels of that Republic from the ancient practice of striking their flag to British ships of war in the British seas. That practice did not depend on the treaty of 1784, nor even on the treaty of Breda, in 1667. Those treaties were only recognitions of an existing right, and the treaty of 1667 expressly stated, that “the Dutch flag shall be struck in such manner as the same hath been formerly observed in any time whatsoever.” The same remark would be found applicable to the sixth article of the treaty of 1784, by which “The States General promised not to obstruct the navigation of the British Subjects in the Eastern Seas.” That article was no compact or grant; it was only an acknowledgement of a pre-existing and undoubted right; and was merely meant as a notice to our merchants that they would not be disturbed in the exercise of their right.

Now with respect to Spain. He acknowledged that our commercial treaties with that country are lost and gone: but it is equally certain that those treaties had ceased to be executed long before the war; and he could add, from personal experience, that we had acquiesced in their being disregarded by the Spanish Government. As to the cession to France of the Spanish part of St. Domingo, and of Louisiana, he had seen it with concern; but he saw also that it could not have been prevented or remedied by a renewal of former treaties: for the cession, in both instances, had taken place when the eighth article of the treaty of Utrecht had been rendered null by the war, and before it could be revived by any article in the pacification. There remained one more subject of remark relative to Spain. It had been asserted by some noble Lords, that, by the non-renewal of treaties, and the consequent loss of the treaty of 1786, our right to cut-logwood might be brought into doubt and dispute. Those noble Lords ought to have drawn a contrary inference. He had already stated the incontrovertible principle, that treaties or compacts, the exercise of which are not interrupted by the course of the war, remain in full effect on the return of peace. Our privileges in the bay of Honduras had been given in lieu of ancient and acknowledged rights in the bay of Campeachy. Those privileges having been enjoyed without disturbance, during the war, are confirmed and established.

Lastly, with respect to France. The non-renewal of the com-

commercial treaty of 1786 naturally presented itself to his observation. His parental affections, however, did not extend to his treaties. They did not influence him so far as to make him regret the loss of the treaty alluded to, as he had already passed through its limited period, and had no claim to a renewal, unless our negotiator at Amiens could have persuaded the French Government that the French manufacturers were able, in 1802, to resume the competition to which they found themselves unequal in 1786, under the tariffs then settled. On our part also, it would have been necessary to reduce the wine duties to the specified amount at which they were fixed by the treaty of 1786; we must consequently have sacrificed the duties imposed during the war, which produce above a million sterling. He could not, however, quit this part of the discussion without expressing his surprise, that any statesman can consider commercial treaties as of small importance to commerce. He believed himself to be fully aware of the great effects of capital, of energy, and of enterprise, but he knew, at the same time, that commercial treaties are most beneficial to trade, by regulating the terms of competition, by giving personal protection, and by other collateral advantages and encouragements. In support of these opinions, he would confidently appeal to the manufacturers of Birmingham, Staffordshire, Yorkshire, Lancashire, and Paisley, who well recollect the benefits derived, during six years, from the French commercial treaty.

Thus far he had spoken only of certain detached interests, as affected by the non-renewal of treaties. It had, however, been observed, that the great and venerable mass of treaties, which had so long constituted the title deeds of so many states and empires, is utterly lost and gone. Unhappily this assertion is true. The most important acts of diplomacy, accomplished by the most enlightened of our ancestors, during a period of two centuries, are now left to moulder in dust, or to be drawn forth only for the curiosity and researches of historians. But this event, deplorable as it may be, is not caused by any omission in the definitive articles, but by the fate of war, by the existing circumstances of nations, by the inscrutable decisions of Providence. The customary stipulation for the renewal of treaties had ceased to be applicable to the new order of things on the continent of Europe.

It would be fastidious and fatiguing to their Lordships to enter into a detailed examination of the treaties proposed to

he provided by the project delivered at Lille : but one example might serve, and he would entreat their Lordships to refer to the treaty of peace concluded at Utrecht. In that treaty, as in all others, there are several articles for the purpose of replacing the contracting parties in all the relations of peace and amity. The other provisions are, a disclaimer on the part of France, of the Pretender's family which is now extinct ; a renunciation of the King of Spain to the crown of France ; a renunciation of the Duke of Orleans to the crown of Spain ; a stipulation for the demolition of Dunkirk ; a promise of just and reasonable satisfaction to all the allies of Great Britain ; an article for the freedom of the city of Dantzic, now annexed to the Prussian dominion ; and the treaty closes with the accession of the Grand Duke of Tuscany, the Duke of Savoy, and the Duke of Parma ; all which powers are now either absorbed in revolutionary arrangements, or swallowed up by France. The treaties of Ryswick in 1697, of Aix-la-Chapelle in 1748, of Paris in 1763, and of Versailles in 1783, would be found equally irreconcilable to the present state of things. And surely the French Plenipotentiaries at Lille had the best of the argument with Lord Malmesbury, when they objected to the renewal of treaties as irrelevant, contradictory to existing circumstances, and calculated only to create difficulties and confusion. In saying this he desired at the same time to render both to Lord Malmesbury and to the noble Lord who had instructed him, that tribute of admiration and of gratitude, which is due to distinguished and superior talents, honourably exerted in a crisis most essential to the best interests of the British Empire.

He now came to the consideration which had principally induced him to enter into the present discussion. It had been stated to their Lordships, from great and respectable authorities, that our rights and interests in India might be affected by the non-renewal of the convention of 1787. Being convinced that this apprehension was groundless, and feeling at the same time that a misconception of the subject might convulse the most valuable and most essential of our possessions, he had long been desirous to lay before their Lordships some facts and reasonings of which he had an immediate and personal knowledge, and which he trusted must give full satisfaction to every unprejudiced mind. He found it impossible to add strength to the unequivocal and forcible language in which the noble Lords opposite to him had asserted our sovereignty

reignty in India. That sovereignty had been acquired and established in a war forced upon us by the unjust and violent aggression of Serajah Dowlah, at that time the effective sovereign of Bengal. It had been confirmed and extended by subsequent grants, conquests, and treaties. It had been recognized by all the powers of Europe and of India, who have accepted and enjoyed privileges from us in our character of sovereigns. In that character we have maintained an uniform and decided, and undisturbed possession during forty years; and few of their Lordships could produce a better title to their private estates. We support this right of sovereignty by a powerful and adequate force. Thus then we stand circumstanced with every advantage of conquest, grants, acknowledgment, long possession, and power.] "True, (say the noble Lords,) but you are confounding the right with claims which contravert that right. You confound it with claims which the French East India Company heretofore asserted, which your convention of 1787 had quieted, but which will now be awakened, and revive. Here you plead to an audience already convinced; the question is whether France will be convinced." To such insinuations he could only reply that France must be convinced, unless she meant to seek an unprincipled and extravagant ground of quarrel. France is bound by the law of nations both in India and elsewhere: by that law she must return to the situation recognised and established before the war, and not derogated from by the treaty of pacification. Their Lordships would recollect that by the thirteenth article of the treaty of Paris (in 1783) the King engaged to take such measures as should be in his power for securing to the subjects of France in India, a safe, free, and independent trade, such as was carried on by the French East India Company, whether they exercised it individually or united in a Company. Before any adjustment could be made in Europe in consequence of that article; the servants of the French Company thought proper to set up various obsolete and obnoxious claims. They refused even to submit to the search of their ships in going up the Ganges; and one of their vessels, a sloop of war, was driven ashore; and sunk by our cannons with the loss of one of her crew. These disagreements and their consequences were reported early in 1786 to the French Ministers, when he (Lord Auckland) was in habits of daily intercourse with them on other subjects. In the mean time Colonel Cathcart (an offi-

cer of the highest hopes, if his life had been spared by Providence) was deputed by the Bengal Government to the French Chief Governor, the Vicomte de Souillac, at Mauritius. An adjusted reference of the points in dispute was entered into between them, and was brought by Colonel Cathcart to Europe. That instrument was considered by the King's Government as utterly inadmissible, and he (Lord Auckland) received instructions to disclaim it, and at the same time to open a negotiation explanatory of the commercial advantages and protection which his Majesty would be disposed to give to the French subjects in the East Indies. His proceedings met with some interruption from the illness and death of that enlightened Minister the Comte de Vergennes, who in all their conferences had admitted the British sovereignty in India. But on the 1st of March 1787, he (Lord Auckland), delivered to the Comte de Montmorin a paper, entitled, *Explication confidentielle*, which their Lordships would be pleased to hear. (He proceeded to read it accordingly.) The purport of that paper was, that the proposed convention must rest on the basis of the entire and undisputed sovereignty of Great Britain in India; and that France could be admitted to treat as having commercial interests only. In the subsequent arrangement of the articles he had refused to insert any stipulation as to the duties to be paid in India by the French vessels, and also as to certain points of interior jurisdiction; lest such admissions should seem to imply any derogation from our rights of sovereignty. And for the same reason he had specifically refused to give a small provision to the family of the man who had been unfortunately killed by our cannon on board the French vessel in the Ganges; although such a provision had been stipulated in the agreement signed at the Mauritius. He thought it material to mention farther, that previous to the signing the convention, and with that explicit frankness which he had maintained through the whole negotiation, he communicated to the French Ministers a copy of the letter prepared by the Board of Control in England, and proposed to be sent with the convention to the supreme Government in Bengal. That letter, the work of persons to whom their country has great and eternal obligations (Mr. Pitt and Mr. Dundas), stated unequivocally that we had considered the French subjects in India, as having no existence there, but as inhabitants of factories for mere commercial purposes, and subject to all the restrictions
and

and regulations which the exercise of our sovereignty might impose. The convention thus originated, thus constructed, and thus explained, was signed on the 30th August 1787, and was afterwards ratified. And from this period to the opening of the war, six years afterwards, it guided and governed without disturbance the whole course of the French commerce and French existence in India. What then must be the consequence of the non-renewal of a treaty so circumstanced, and of a relative situation so recognized, and established previous to the commencement of the war? He could not hesitate to assert that the consequence with respect to us would be a strengthening, if it were possible, of our exercise and sight of empire. The consequence with respect to France would be, if we were disposed to enforce it, the evident loss and implied renunciation of all the advantages and privileges which the convention of 1787 had given to her. He could not hesitate to add, that France retains no possible claim in India beyond the peaceable possession of the factories restored to her, and such liberal protection as may be granted by us to every nation with which we are at peace. He found it impossible to close this subject without referring to the Marquis Wellesley, whose provident and energetic mind had done so much towards extending and strengthening our Indian Empire. That noble person who had made such gigantic strides in the paths of fair conquest and of glory, would indeed be much astonished if he were told that because our forty years sovereignty is not recited in the definitive articles, it may be questioned by a power which holds Brabant, Flanders, Savoy, and great parts of Germany and Italy, by the mere pretension of recent conquests. Still it may be repeated again and again, that France may revive her old and litigated claims, and so she certainly may. She may claim Gibraltar and Jamaica; she may assert a right to the free navigation of the Thames; but if she be disposed to bring forward absurd and hostile pretensions, will any clause in any treaty prevent her? If she be disposed to dispute our Indian Empire, would the renewal of the convention of 1787 be an obstacle? He would pursue the discussion no farther; nor would he have said so much if he had not thought it a duty on a question of such essential importance to clear away every possible doubt. He hoped and trusted that France for her own sake would shew herself capable of maintaining the relations of peace and amity with other States; and that with the name of peace we shall gradually

dually obtain all the attributes, and all the blessings and security of peace. If she be fairly disposed to heal the wounds of war, and to make compensation for those calamities which she has, during so many years, accumulated on mankind, she will now act towards us, not only in India but in every part of the world, with the same spirit of conciliation, and with the same good faith which she is sure to experience at our hands. He, for one, however, would watch her conduct both in the East and in the West with jealousy, but without acrimony; with anxiety but without fear. It had often been remarked with respect to the great events and conjunctures of human life, that they are seldom either so good or so bad as they seem to be in their first impression. The strange occurrences of the last ten years had shewn the fallibility of political speculations, and had taught him a due diffidence both in his own judgment and in the judgment of others. Still, however, he knew beyond all possible doubt, that though we have made great sacrifices for peace, we retain every advantage of internal prosperity and extensive dominion; and that though his countrymen had been somewhat impatient for peace, still that the national spirit is unbroken, and as high as ever. The sense of our naval and military glories will long be warm upon our minds. We know the effect and force of the public resources and the public energy. We know that in despite of all the expence of the war, we have already a sinking fund of nearly six millions sterling. We are prepared to resist and repel any real injury, and the United kingdom (in that word alone we are indemnified for a great proportion of the expences of the war) will remain happy, pre-eminent, and unassailable, as long as she shall remain true to herself, to her sovereign, and to her constitution.

The *Earl of Carnarvon* said, if Parliament could remain silent after the communication of the definitive treaty, without an implied approbation and admission that it was adequate to the just expectations of the country, and consistent with the honour and dignity of the national character, he might have been glad that public discussion could have been avoided, in the perilous state on which this ill-omened peace has placed us; but the very dangers with which we are threatened, and the peculiar circumstances attending this peace, makes it the duty of Parliament, not to shrink from the investigation of our alarming position under the operations of the definitive treaty, to which the public faith has been pledged by the King's Ministers, but to examine and point out the errors committed,

committed, and the future dangers to which those errors must expose us, and in some such terms the noble mover has suggested, keep awake the watchful eye of jealousy to secure all that is not yet surrendered to France, though left exposed to her ambition, and her talents for cavil; nothing in the situation of the two countries, or in the events of the war, had prepared us for terms so disgraceful and humiliating; with all possible respect for the private virtues of those who compose the present administration, I could not look with confidence, or trust to their experience or abilities, for security amidst the difficulties which surrounded us; the country at large felt more astonishment than confidence, when on their accession to power, they desired not to be judged incapable of the arduous task they had undertaken, till they had been tried and found deficient; they seemed to think it of trivial importance to the public, whether the state vessel, exposed to the most turbulent and dangerous sea with which it had ever been assailed, should be entrusted to known and approved abilities, or to persons who had never arrested the attention of the public, till they were placed where their errors might be irretrievably fatal to the country. They no sooner occupied the helm, than, as if inexperience was essential to the management of public interests, they pressed to their aid a noble Lord, beloved indeed by all men, but one whom flattery would not venture to qualify with the character of an able and experienced negotiator; thus seconded, they undertook the conduct and management of the most intricate and involved interests, and opposed their private virtues, and unpractised abilities to the crafty experience of men, who for nine long years of duplicity and chicanery, had practised on the hopes, fears, and credulity, of the whole world, till by force and cunning, unrestrained by any moral virtue, they had raised their country to that formidable eminence, from which they impressed with terror and mistrust, every nation with whom they had any political relations; under such unequal negotiators some disadvantages might naturally be expected, though the two nations were placed by the war in situations of no great disparity, though the respective countries felt equally the oppressions and burdens of the war, and looked with equal ardour for the blessings of peace. The preliminary articles however, or rather the catalogue of uncompensated advantages to France and her allies, at the expence of Great Britain and her allies, staggered the most desponding advocates for peace; but the earnest

earnest wish for the return of its blessings, for the revival of all the relations of amity, and the peaceful renewal of friendly and commercial intercourse, and the extinction of all the horrors of war, overweighed all other considerations, and the preliminary articles, approved by no person, gave a species of joy to all classes, not indeed without hopes, and even assurances, that some articles respecting our allies, affecting our national honour, would be altered. But the definitive treaty has destroyed all those hopes, for it has only heaped concession on concession, and added disgrace to our disgrace, and even contrived to remove all security for those rights which still remain unconceded, and, with the security to those rights, they have removed even the hopes of stability from that peace, which they have purchased by such large concessions. They have wilfully deviated, or (which I rather suspect to be the case) submitted to a deviation from the uniform practice and caution of their predecessors, by not renewing all former treaties applicable to the present state of affairs, for it is no answer to say, as my noble Friend (Lord Auckland) has just observed, that many treaties formerly renewed bear no possible relation to existing circumstances. By the omission to renew any treaties Ministers have, as far as in them lay, unadjusted all former adjusted disputes, and this they themselves seem to admit, and, what is more extraordinary, claim merit for it; at least, they have left us to the honour and justice of France, without the customary acknowledgment of our rights, or a pledge that she would not dispute them hereafter. They have thrown such mystery over this part of their conduct, and have defended themselves so ambiguously on this subject, that it is difficult to understand whether they avow this omission as a deliberate act of theirs, productive of advantages which they sought, and have obtained ingeniously over the baffled negotiators of France; or whether, on the contrary, they have more prudently sought the renewal, and weakly submitted to a positive refusal on the part of France. The country have a right to know the truth; and I call upon them, in fairness, to declare on what footing this omission stands, for whatever may be the opinions of noble Lords on the first supposition, it must follow from the last, that the deliberate refusal to renew any treaty is a distinct abrogation and a distinct reservation of formerly adjusted discussions and disputes. On the former supposition of a simple omission to renew treaties, I shall make a few observations,

various, as I do not quite coincide in opinion with my noble relation, though I concur with him in the inference. It has been nearly admitted by Ministers, that former treaties, by the omission of renewal, are abrogated: my noble relation does not go that length, but he thinks we have lost our title deeds in most cases, and has affirmed, that we have thereby totally lost the gum trade. I am far from thinking any of these consequences follow simply from the tacit omission of the renewals. War does not abrogate any right, or interfere with the right, though it does with the exercise, but such as it professes to litigate by the war. It suspends, it is true, all relations of amity and commerce, all amicable intercourse; but nothing seems so obvious to common sense, as that peace has the same effect upon war, as war on the preceding peace, namely, that it removes all its operations; war oppresses all the relations of peace, peace removes all that pressure; the oppressed energies of peace revive. The subject whose litigation made the war, must be adjusted by the treaty of peace which terminates the war, or it would continue to be a subject undecided, and consequently subject to renewed litigation; but no reason can be shewn, why formerly adjusted disputes, which have made no part of the reason of the last war, should be re-adjusted; they may be the subject of revision at the will of the parties, but are not necessarily so. All the writers on the law of nations distinctly affirm, that peace has only relation to the war which it terminates, leaving all the former relative situations of the two countries as before the war; and that former treaties, though not expressly renewed, remain in full effect, if not expressly abrogated in the treaty of peace, or by private consent and acknowledgment. The uniform practice of renewing treaties makes some little deduction from the force of this doctrine, and leaves no excuse for Ministers, who have neglected the security from renewed treaties, when they might have obtained it. If, as I suspect, it has been refused by France to our requisition, the advantages of the peace, and its stability, stand upon a different footing from that which has been made known to Parliament. We may have rights founded on the best title, supported by the best arguments, but we have no undisputed rights, all former disputes being let loose. The stability of peace depends more upon acknowledged and undisputed rights, than upon good and sufficient title. The noble Secretary, who did not attempt to answer any of the objections so ably detailed by

my noble relation, in lieu of argument, supposes that the whole drift of the noble mover's speech and motion had been against any peace on any terms, a supposition justified by no one sentence which he uttered. He certainly considered the peace as inadequate to our fair expectations, but that, such as it was, the country was pledged to its observance. He complained that the definitive treaty was rather the preliminary of war than a confirmation of peace. He unanswerably proved that we were exposed to the renewal of disputes endangering peace, by not renewing treaties which had adjusted them: in which of these positions the noble Secretary finds an objection to the termination of the war on any terms, is not easily to be imagined. With respect to the loss of right to the gum trade, by the omission to renew the treaty which relates to it, I wish to say a few words. If I am right, that peace, by removing the pressure of war, (except as far as conquest has altered possession) restores all other rights to their former state as before the war; in which doctrine I stand confirmed by the writers on the law of nations, the case of the gum trade will stand thus—By the treaty of 1783, Great Britain ceded to France, in full right, the river Senegal and its dependencies, with certain forts, on condition that the English shall have the liberty of carrying on a trade for gum, from the mouth of the river St. John to the bay and fort Portendic; for it is impossible not to consider a right reserved in a treaty that cedes the very subject which supplies that right, as a condition of the cession, and inseparably involved in the cession. We conquered the possessions thus ceded in the course of this war: by the treaty of peace now under discussion, we cede all the conquests of this war. We did not conquer that which we enjoyed by reservation from our former grant, we did not therefore cede that which we had so reserved. This, however, is a matter of opinion; and both the conduct and the arguments of Ministers leave it a matter of possible dispute; they therefore have made a peace with the reservation of a subject of quarrel in this instance. Indeed it is a peace productive of no symptom or relation of friendship and amity; it has terminated the war, as if for the sole purpose of giving leisure to France to take possession of the cessions made to her; but, least any friendly intercourse should appear intended on her part, she has carefully shut her ports to us. In the East Indies, my noble Friend (Lord Auckland) has proved, by his private notes, that he had asserted, in the convention of 1787, our sovereignty,

sovereignty, but the treaties of 1783 and 1787, containing no such word, seem to prove that it had been ineffectually asserted. And it appears, by both these treaties, that we had ceded the independent trade over all our possessions, which, by force of the term, cannot be dependent on any thing, not even on the treaty which stipulates that such grant shall be, and becomes only evidence of the independent right. The limitations respecting salt, in the convention of 1787, are merely conventional, and fall with the treaty. But should all this be disputed by noble Lords, it becomes a proof that Ministers have left unsettled points which may, and are likely to be disputed. The motion made by the noble Lord is therefore necessary to our situation, is the only possible corrective, or, at least, palliation to the mismanagement of Ministers, who have pledged the country to the peace as it stands, for the King's prerogative to make peace and war is indisputable, but it is not in his power to make a bad peace a good one. It is equally the King's prerogative to appoint his Counsellors and Ministers, but he has not the power to give them experience and ability to manage the complicated affairs and interests of a great nation. Good intention and private virtues are not excuses for rashness in undertaking, and errors in the management of interests on which the peace, commerce, and future importance and prosperity of this country must depend. He did not therefore agree with the noble mover in not intending censure on Ministers, though he fully concurred with him in the motion he had made.

Lord Westmoreland said, that the arguments of the noble Lord who had spoke last had a tendency to make the people dissatisfied with the peace; that he however gave him credit for having brought them forward with the purest motives. He, nevertheless, could not avoid thinking, that if there was a necessity for using such language, there was a time more suitable than the present. He declined saying any thing concerning the preliminary treaty: but he should confine himself to the articles of the definitive. The noble Lord must not be surprised to hear some of his own arguments repeated, arguments which he appeared, in some degree, to have forgotten. The change of sentiments he had sometimes seen, reminded him of an extraordinary metamorphosis, related, as he believed, by Swift. In a certain country the men and women changed sexes; among other strange effects of this transmutation, the Maids of Honour became

became Officers of the Guards, and the Officers of the Guards became Maids of Honour. It was, however, remarkable, that among the new maids of honour, those that had been the most profligate became the most reserved; and that among the virgins, now become military beaux, those that had been formerly the most modest became the most dissipated of the corps. He made no application, but

"mutato sole

Non animum mutant qui

Trans mare currunt."

His Lordship defended the definitive treaty; and said there were very strong reasons why the commercial treaties with France and the other powers ought not to be renewed. When former treaties had been renewed, great doubts existed as to the propriety of doing so. But he would ask if it would be wise to resume treating with Holland and Spain through the medium of France? The treaty of 1787 had been made merely to correct the inadvertency of 1783. If it was said that we had gained nothing by the late war, he would desire noble Lords to look at the different states of Europe to see what they had lost, and how little we had lost in comparison. We had fortunately a great and able statesman at the head of our affairs, "and if," said he, "there had been such a man in every country in Europe, or even in one other country, the differences which have given rise to this discussion would never have existed." Great stress had been laid upon the appointment of Bonaparte to the presidency of the Italian Republic, but he would ask if France had gained a single inch of territory in Italy by that act? Certainly not: her power there could not be increased. As to the isle of Elba, he would ask where was the difference; whether it belonged to France or to the King of Etruria? So far from thinking that the occupation of Louisiana by the French would be dangerous to the American States, it would only serve to awaken their jealousy against a power which would never be able to attack them in that quarter with any success; and he trusted that in any future contests between us and France, we should find these States to be most friendly and watchful allies. None of those things complained of had made such an alteration in the affairs of France as could justify Ministers in breaking off the treaty and renewing the war. There was one reason predominating over every other, which made it necessary for Ministers to conclude a peace—that was, the general wish of the people; for though he would

would not have Ministers be guided by speeches pronounced in Guildhall or Palace-Yard, they were bound to regulate their conduct according to the sentiments of the people at large. The noble Earl then drew a comparison between the state of France and Great Britain; the former was distracted by parties, the existence of its present government depended on the life of one man, and the country was not in a condition to restore either its commerce or its navy. How different was the state of Great Britain, whose commerce and wealth gave her strength, and enabled her to call forth at any time all the energies of the people, and who now enjoyed a state of unexampled tranquillity!

Lord *Clifton* (Earl of Darnley) rose, but the Lord Chancellor left the House for a moment or two; when he returned, Lord *Clifton* again, and Lord *Ellenborough* rose also; a great cry arose for Lord *Ellenborough* to be heard first, but Lord *Clifton* remaining on his legs,

The Lord Chancellor left the woolsack, and said, that undoubtedly, in point of order, the noble Lord was in possession of the House, as he had named him before he saw the noble and learned Lord; but he begged the noble Lord to recollect, that when a noble Lord got up to speak for the first time, it was usual for the House to shew him the indulgence of hearing him first, and he presumed that the noble Lord would readily yield to a practice uniformly acquiesced in.

Lord *Clifton* rose again, and finding the cry for Lord *Ellenborough* still prevail, he said, I speak to order. This calmed the House, and then the noble Lord said, he was not to deliver his sentiments, but merely to explain that he should not have had the presumption to have persisted in claiming his right to be heard, had he seen the noble Lord rise, but that he had been anxious to deliver his opinion at that part of the debate, not only because he wished to take some notice of what had fallen from the noble Earl who had just sat down, but because he found himself becoming so exhausted, that he should scarcely be able to do himself the justice to offer his observations on the definitive treaty to the House, if he postponed doing so much longer; however, after the sense of the House had been so decidedly expressed, and after what had fallen from the noble and learned Lord on the woolsack, he should be ashamed of himself, if he hesitated a moment to yield the priority of being heard to the noble and learned Lord opposite to him:

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Lord *Ellenborough* began with declaring that he was sorry to delay, for a few minutes, the great share of entertainment and information which their Lordships would, doubtless, derive from the speech of the noble Lord, but that he was anxious to discharge his mind, by saying to their Lordships what his duty compelled him to address to them. His Lordship then made an apology for obtruding himself upon the House so newly after taking his seat in it, but what he had heard in the course of the debate rendered it impossible for him to resist what he held to be his indispensable duty. He would, therefore, though with great diffidence, take the liberty of submitting his sentiments to their Lordships; and first he would take notice of the extraordinary complaint urged by the noble Lord who began the debate, or rather who moved the address, that he had not been fairly dealt with, because, forsooth, Ministers had not thought proper, prematurely, to open their defence of the definitive treaty in any of the preliminary debates that had taken place, in detail, on separate articles of it. Had that noble Lord any right to complain, when he had himself been indulged, again and again, in discussing, at considerable length, those topics upon which he, and those noble Lords who acted with him, chose to decant, although the noble Lord had himself moved and named a day for taking the definitive treaty into consideration? After having, with great animation and severity, expressed his indignation at the noble Lord's (Lord Grenville) having dwelt on the complaint that his Majesty's Ministers left him still at a loss to know in what manner they intended to answer the objections urged by him, and other noble Lords, respecting the various omissions in the treaty, Lord *Ellenborough* proceeded to notice the adverse arguments advanced by the opposers of the treaty in the present debate. He emphatically begged leave, in the first place, to return his most grateful thanks, as an individual, to those Ministers who had restored the blessings of peace to their country. The objections that he had heard against the definitive treaty, in his mind, weighed not a feather in comparison with the inestimable advantages of a cessation of hostilities under the present circumstances of the country. With regard to the noble Lord's argument, that the public law of Europe was become a dead letter, because certain treaties were not renewed, he was astonished to hear men of talents lay any stress upon such a point of reasoning. To what use would the revival of all the solemn nonsense and important absurdity

abfurdity contained in thofe treaties have contributed? Were they not replete with articles totally inapplicable to the prefent political fituation of Europe; and were they not, for that reafon, converted into ufelefs trash and abfolute wafte paper? It was not, his Lordfhip faid, in the immediate line of his professional ftudies to dedicate much time to treaties, but he had read over thofe in queftion with aching eyes, and was no ft ranger to the law of nations, which was founded on principles of immutable juftice, was lefs liable to mifconft ruction and abftract reafoning, and more to be relied on than any fingle treaty, or collection of treaties; and he could affure the noble Lord, that there were very few deviations in the writers on the law of nations upon the fubjeft. Noble Lords might, therefore, as well talk of the revival of the condition of mankind in fome very remote period, and of the ancient treaties which had become, from the change of circumftances in Europe, obfolete and inapplicable. The noble Lord who had brought forward this difcuffion with fuch fevere terms of reprobation of the definitive treaty, had forgot that he was not always the ftrenuous advocate for the renewal of treaties, for it will be found from the inftructions to our negociator at Lifle, in the drawing up of which his Lordfhip, he fhould fuppo fe, muft have had no inconfiderable fhare, and a copy of which was actually upon their Lordfhips' table, that in that negociation there was a particular injunftion againft the renewal of certain ftipulations of the treaty of Utrecht. Our fovereignty in India, upon the violation of which, by the non-renewal of treaties, fo much ftrefs had been laid, his Lordfhip faid, he thanked God, depended upon furer and ft ronger ties than all the treaties that ever were made could give: it depended upon the right of conqueft in a legitimate war, a war of defence, upon the public and repeated recognition of all the powers of Europe connected with commerce, and upon the eftablifhed right of poffeffion—the beft right of all. Our fovereignty in India is now upwards of forty years in duration, and is older than any exifting government in India. It could not be ftrengthened by all the treaties that could be devifed; and the power that could meditate to difpute that title, muft be fo divested of all juftice and moderation, that fhe would not be the more bound by any treaties that could be devifed or entered into. His Lordfhip took a regular but rapid view of all the tranfitions of our acquirements of territory and dominion in India, naming the various powers through
whose

whose hands it devolved to us, and thus making out his assertion, that our sovereignty of India was founded on the right of conquest in a legitimate war clearly and correctly. [Mr. Dundas, it will be seen by our reports, did the same thing, the preceding day, in the House of Commons.] In the course of this historical detail, his Lordship said, our acceptance of the Dewannee was a foolish thing, although he did not, by any means, intend to detract from the merit or gallantry of that able and spirited commander Lord Clive. He next adverted to Malta, and insisted that the arrangement with respect to that island, was wise and prudent in the highest degree. He concurred in opinion with the noble Lord behind him, (Lord Mulgrave) as to the amount of the revenues of Malta. He contended that the order was not in such a state of poverty as the noble Lord had represented it, and that it was not at all probable that it would fall into the hands of France. With regard to the Cape of Good Hope, the cession of which was so much deplored, he thought we were well rid of it. He would tell the noble Lord, that the expence of that post would have been so great, that the country would very soon have had reason to complain of its retention. He would tell him, that we could not send a chaldron of coals thither without the expence of 26l. 10s.; and it was a well known fact, that at the time the Dutch were sending home, during our scarcity, a small and scanty supply of grain to this country, the government there was obliged to send ships to India, to get rice and other provisions, and an urgent request came home for a supply of biscuit, not for the troops only, but even for the Dutch themselves. It had been urged by the noble Lord, that, deprived of the Cape, our fleets must be employed in convoying our trade, and our troops to India; but could it be forgotten, that in the war before the last we had France, Spain, and Holland against us, with a fleet more equal in power than what they now can boast of? A great deal of clamour had been raised about the free navigation of the Indian seas; he would ask whether a single British ship had been stopped in those seas by the Dutch? And with respect to the idle and paltry compliment of the Dutch striking their flag to us, he thought there was not much magnanimity in enforcing that from the weaker power, which we did not require from the stronger. Of Portugal much had been said, but he believed that that country was truly thankful for what we had done for it in the definitive arrangement for peace. With regard to the ad-

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dress moved by the noble Lord, it was insidious and unwarrantable. It did that by insinuation which it did not dare to avow in terms. It would have been much more manly and dignified in that noble Lord, if he really thought that Ministers deserved to be vilified and aspersed in the manner, and in the style of argument, in which they had been that day spoken of, to have moved a direct and explicit address to advise his Majesty to dismiss his present Ministers from his service, as wholly unworthy of his confidence. The country in general, he was persuaded, entertained very different sentiments of their conduct, and most especially in respect to the peace which they had obtained for us. The country had not forgotten the circumstances of peculiar gloom and depression under which they came into office, and in consequence of which men of less determined spirit than themselves might have shrunk from the acceptance of situations of the highest responsibility. He was persuaded the country joined heartily with him in feeling, when he gave Ministers his most humble and grateful thanks for their spirit and moderation, their wisdom and their firmness, which enabled them to rescue the British Empire from the dangers and difficulties with which it was surrounded, and he relied with confidence on their attention to such measures as were most likely to render it permanent. His Lordship thanked the House for its indulgence, and declared he should vote for the amendment.

Lord Clifton (Earl of Darnley) said he agreed with the noble and learned Lord who spoke last, in thinking the present Government deserving of praise and approbation, both for the spirited manner in which they had undertaken to manage the affairs of the country in a period of unexampled difficulty and danger, as well as for the mixture of firmness and moderation which their conduct had since displayed till the period of the signature of the preliminary articles of the peace, to which he had already given a silent vote of approbation. He must now, however, feeling all the disadvantage under which he spoke at that late period of the debate, and after the noble and learned Lord's eloquent maiden speech, which had afforded to the House all the information and entertainment it promised at its outset, beg leave to state the grounds upon which that unqualified vote of approbation had been given to the preliminaries, as well as those upon which he felt it his duty to refuse it to the definitive treaty now before the House. In doing

this, however he might be disposed to yield to the noble and learned Lord in every other point, he could not in that of having, to the best of his judgment, discharged his duty. His opinion on the preliminaries, in which he believed he agreed with a great majority of their Lordships and of the country, was, that, although they contained nothing splendid, nothing gratifying to national pride, or that afforded fit subject of exultation, they contained, however, nothing absolutely degrading; and though, perhaps, they had gone as far in concession as it was possible, short of humiliation, he did not think they had passed those bounds. And therefore, taking such a peace as the least of two evils, when compared with that of carrying on the war any longer without a reasonable hope of improving our situation, he had thought Ministers perfectly justified in the part they had taken, and had supported them accordingly. There were a few points which remained to be finally settled by the definitive treaty, and to these he could not help desiring to call the particular attention of the House. He certainly had flattered himself, and believed that they were not points of difficult or complicated arrangement, but that they would have been easily, speedily, and satisfactorily settled. He took for granted that the money due on account of prisoners would either have been put in a train of immediate payment, or some substantial pledge given to secure future payment; that the Emperor of Russia was ready and willing to take Malta under his protection; and that the acknowledged defect in the preliminaries, in not specifically providing for the interests of the Prince of Orange, would have been effectually remedied in the treaty. In all these expectations he had been grievously disappointed, nor could he subscribe to the opinion which Government appeared to call for from their Lordships, of approving this treaty because they had approved the preliminaries, from which, he must contend, the treaty differed materially in every particular in which it could differ, and in all to the disadvantage of this country. A noble Lord, (Westmorland) to whom, from the learning displayed in his speech, the epithet of learned might also, with equal propriety, be added, had endeavoured to prove, article by article, that there was no essential difference between the two. He began with the article that regards Malta, as justly considering it the most important, but he certainly had failed to prove that, in this instance, the definitive treaty had not placed that

that important island in a situation far more disadvantageous to this country than it would have been if the spirit of the preliminaries had been followed up. It appears generally admitted that the most desirable arrangement would have been the cession of Malta in full sovereignty to Great Britain. That was supposed unattainable, and the next best, namely, the placing it completely out of the power and influence of France, by ensuring the protection of a third great and powerful nation, was promised by the preliminaries, whereas the definitive treaty, by an arrangement, the merits of which have already been fully discussed in detail, leaves it at least open to the intrigues of France, and, in all probability, an easy prey to her power whenever she shall be disposed to exercise it. In this essential article, therefore, we have lost much by the manifest difference between the treaty and the preliminaries. The article respecting the prisoners of war had been arranged in a manner equally unsatisfactorily, and though it is some consolation to hear, from the authority of the noble and learned Lord, that the idea of this country's paying for the cloathing and equipment of the Russian prisoners, is too absurd to be entertained for a moment, as we have no pledge for the payment of the debt. Whatever its amount may be, in all probability it never will be paid at all. But, in this respect, the pecuniary loss to the country is by no means so important as the proof afforded by the article, of the submissive deference of the Government of England to that of France in the first adjustment of the terms of peace. The noble Earl states, that the Ottoman Porte, the ally of Great Britain, was not admitted to the congress at Amiens, because the Porte had no cessions to make. If the noble Earl had not immediately proceeded to speak of Portugal, his Lordship said he should have thought that the noble Earl had forgotten that Portugal was also the ally of Great Britain, and not only had cessions to make, but that she actually had made very material cessions. At so very late an hour, his Lordship said, he would not fatigue the House, by entering into detail upon other parts of the subject, but he must enter his protest against the presumption that the definitive treaty did not differ from the preliminary articles, because nothing could be more self-evident than that it did differ from them most essentially. When the noble Marquis had been selected as the person to go to Amiens on the part of this country, he had imagined that the noble Lord would have had little

more to do than to sign the treaty, which, in common with the whole country, he expected to have found fuller of specifications than the preliminaries, and that the noble Marquis had been chosen as a person of the highest and most distinguished character. He assured him, that no man respected him more sincerely than he did, but he should be guilty of the grossest flattery if he complimented him as an able and adroit negociator. That he was not able to cope with the practised craft and subtlety to which he was opposed, the treaty itself but too manifestly and too fatally proved. Lord Darnley said, that with all the anxiety he felt to continue that decided support which he had hitherto given to his Majesty's present Ministers, and which he meant to continue, he could not possibly give his unqualified vote of approbation to the treaty upon the table, but, on the other hand, although he felt that the address moved by the noble Lord near him (Lord Grenville) contained a good deal that could not be controverted, yet as it also contained a strong implied censure upon Ministers, to whom upon this and every other occasion he would give full credit for the best intentions, he should content himself with having thus briefly stated his sentiments, and should not vote for either of the propositions before the House.

The Earl of *Rosslyn* said, he rose not to detain the House by entering into the argument at large, but chiefly to correct a mistake which his noble and learned Friend, who had spoken last but one, had fallen into, and the being set right respecting which he was sure his noble and learned Friend would be glad of. What he alluded to was the honour due to the British flag from the Dutch in the narrow seas, and within a certain boundary of our coasts. It was not an idle and trifling ceremony, not a mere form, and therefore to be undervalued, but a most serious and important right, which implied our dominion of the sea. The maintenance of that right warmed the heart of every British seaman, and filled it with pride and exultation. He must feel great regret if the insinuing on an honour, so flattering to the prejudices of our seamen, was to be forborne, because he was persuaded it would be a great mortification to them to be obliged to depart from a practice in which they highly delighted. Nor was our claim to this honour in the British and St. George's Channel, confined to the Dutch alone, it was due to us from all nations navigating those seas. At the same time, it was no claim of right of modern date. Our right of sovereignty

at sea-originated nearly three centuries since. In the reign of James the First the Dutch disputed it, and that eminent writer on the law of nations, Grotius, wrote a very learned book against it, but it was answered most satisfactorily in a book equally learned, written by Mr. Selden. That book made such a powerful impression on men's minds, that the dispute was at an end, and the right was fully recognised and established. With respect to the definitive treaty, he heartily wished that more was not obtained than had been the case; and, indeed considering the attainment of two great and important objects, in the accomplishment of which the noble and illustrious hero opposite to him (Lord Nelson) had so gloriously distinguished himself, we were entitled to have expected more advantageous terms. The House would easily perceive that he alluded to the expedition to expel the French from Egypt, and the expedition to the Baltic. With regard to the former, it had been undertaken, and so nearly completed by the late administration, that the merit of it was therefore fairly their due, as, in case it had failed, the blame undoubtedly would have attached to them. In like manner they were, at least, entitled to share the glory of the success with his Majesty's present servants, as the plan had been formed by them. To return, however, to the definitive treaty, such as it was; it was agreed, on all hands, that his Majesty ought to be supported, in order to enable him to carry it into full and complete execution, and there were certain words contained in the address moved by his noble Friend, he lamented that, for the first time in his life, he should feel himself obliged to give his vote against him, and in favour of the noble Secretary's of State's amendment.

The Lord Chancellor entered into a very copious argument in defence of the definitive treaty, declaring that as the House had, by a great majority, given their sanction to the preliminary articles, it was neither a usual nor a very candid proceeding to discuss each article of the definitive treaty separately, not only in the general consideration of it, but still less to have made each article a subject of distinct discussion previously, on a motion for various papers, because the definitive treaty was grounded altogether on the preliminary treaty. The peace ought to be taken as a whole, and viewed collectively upon a fair comparison of the relative situation of Great Britain, of France, and of all Europe. His Lordship said he had heard many objections to the definitive treaty from his noble Friend (for so he would still call him)

him) which were not new to his mind, and which certainly were of some weight, but he had also heard many that were so insignificant and trifling, that he was surprised at their coming from so respectable a quarter. He was not one of those who were ready to say, that the present was a great and glorious peace, but he had discharged his duty conscientiously in advising his Majesty to consent to sign it; and he trusted, if candidly viewed, that, altogether, it would be found to be as good a peace, and as advantageous to the country, as was likely to be obtained, all the circumstances under which it was made taken into consideration; and he was not desirous to shrink from the share of responsibility that belonged to him for the advice which he had given his Sovereign on the subject. His noble Friend had complained of variances in the definitive treaty from the preliminary articles, and of omissions of matters which his noble Friend had stated to be of considerable importance. The first, he believed, were only two in number:—the stipulations of the seventh article relative to the limits of French Guiana, and those of the tenth article relative to Malta. The omissions stated were of greater importance: they were the non-renewal of old treaties, the not having made a more specific stipulation to secure an adequate compensation to the Prince of Orange for his losses, the not providing for keeping the Cape and Cochin, and the want of stipulation for the right of cutting logwood in the bay of Honduras, and of bringing the gum from Senegal and the coast of Africa. He would, therefore, consider the omissions first; and here he must differ a little from his noble and learned Friend in respect to the value and importance of treaties solemnly executed between nation and nation. He had, during twenty years of his professional life, witnessed the growth and improvement of the distinguished talents of his learned Brother, with whom he had ever lived in habits of uninterrupted friendship and intimacy, and from the able speech which their Lordships had just heard from his noble and learned Friend, the House would judge of the valuable assistance it would derive from the exertion of such great abilities. He could not, however, agree with his noble and learned Friend, in thinking that treaties deserved to be held in contempt, or treated in so light a manner as he had treated them. Perhaps he had been induced to speak of them in so light a way, from that species of diplomatic learning not immediately falling within the general line of their joint professional studies. He had heard it said, that a great

a great lawyer seldom made a good statesman; and, perhaps, the reason was, that great statesmen were generally bad lawyers. His Lordship said he should have again to refer to his noble and learned Friend's argument in a subsequent part of the observations he had to offer, and he would, for the present, be content to assert, with his noble and learned Friend, that most of the conditions of the treaties, the omission of the revival of which were complained of by his noble Friend who moved the address, were, from the violent change that the circumstances of Europe, and more especially of France, had undergone within the last twenty years, wholly inapplicable to the present treaty; and, at the same time, all the great and important rights, which his noble Friend thought lost and abandoned; because they were not recognized in the definitive treaty, stood secured on a much stronger basis than any recognition of them by any treaty whatsoever. With regard to the sovereignty of India, he agreed completely with the whole of the argument contained in a speech adverted to by his noble Friend in opening the address, with moving which he had concluded his speech. Let his noble Friend recollect, that the argument in question was that of a lawyer and a statesman; of a man coming from a part of the united empire where lawyers of great acuteness, discernment, and learning were educated and practised, and of a statesman better qualified, perhaps, from the public situation he had filled for the last ten years, to judge with accuracy of every right and interest connected with our sovereignty and possessions in India; than any other man in existence. His noble Friend near him (Lord Auckland) had already, he flattered himself, convinced the House, by his reasoning, and the paper he had read, which was submitted to the French Ministers some days previous to their having signed the able and excellent treaty of 1787, that our right of sovereignty of India stood recognized, acknowledged, and secured beyond the reach of future doubt or dispute. With regard to the compensation to the Prince of Orange, it certainly was said in the debate on the preliminary articles, that a full security for an adequate compensation to that unfortunate Prince for his losses would be obtained, and if there was any reliance to be placed on the faith of nations, solemnly pledged, an adequate compensation would be secured, agreeable to the eighteenth article of the definitive treaty. A noble Earl (Lord Carlisle) had, in a previous debate, laid great stress

stress on the negotiation of a guarantee, stated to have been privately executed on the day when the plenipotentiaries of the four contracting powers had signed the definitive treaty, between the ambassador of Holland and the plenipotentiary of France, to secure the former power from being liable to claim on them for any compensation to be made good to them. But no convention of that sort, privately and separately executed between two of the contracting parties, could absolve either France or Holland from their solemn obligation to Spain and Great Britain, under a definitive treaty signed and executed by four contracting parties. Much argument had been urged respecting the importance of the Cape, but did his noble Friend who commenced the debate recollect the immense charge the holding it in our hands, for so short a time, had been to the country? Neither, if he had been rightly informed, was it of any material importance to the East-India Company, as a port for their ships to touch at in their passage to and from India. When it was so long possessed by the Dutch, every desirable advantage was easily obtained from it, and so, he doubted not, the case would be again. As to all the noble Lord's reasoning upon the idea of France, Holland, and Spain having a right, under the article in the definitive treaty, to have a more formidable united fleet than us at the Cape, in the proportion of three to one, it was altogether visionary and speculative. Had it ever been the case in former wars between this country and those powers, or was it at all likely that it should ever be the case in the course of hostilities that might be commenced in future? His Lordship reasoned for some time on this point, and assured the House, that no danger was to be dreaded on account of the Cape being delivered over to that power, in the hands of which it had remained for so many years without injury to this country or its interests. As little danger of our losing the right to cut logwood in the Bay of Honduras was to be apprehended, as there was of danger from the Dutch being allowed to resume the possession of the Cape. Let it be held in mind that Honduras became the rightful property of Great Britain by conquest, and was never ceded to Spain, without an acknowledgment, on the part of the Court of Madrid, of our undoubted right to cut logwood. In proportion as the right of conquest was paramount to the effect of treaties, in which that right was not specifically abandoned and resigned, his Lordship

Lordship contended, our right to cut logwood in the Bay of Honduras remained more secure and free from challenge, than it could have done, if it had been mentioned in the definitive treaty, which must have rather weakened, than confirmed our lawful exercise of a right founded on a stronger title than a treaty could give. With regard to the gum trade from Senegal and the coast of Africa, he saw no ground whatever for imagining that it was at an end, from what was stated to be a culpable omission in the treaty under consideration. It had been exercised and carried on by us uninterruptedly during the war, and he had no doubt it would continue to be exercised by us without molestation. Having thus gone through his observations on the most materially charged omissions in the treaty, his Lordship said, he would mention another point, which might be considered as in a great degree coming under the head of omissions, the right of the flag, which he could not regard as a matter of so light and trivial a nature, as his learned and noble Friend, (Lord Ellenborough) had seemed to consider it, when he said "he did not think it becoming the magnanimity of a great nation to exact a homage from the weaker power, which they did not insist on from the stronger." The right of the flag was a right of great national importance, as his noble and learned Friend who had spoken last (Earl Rosslyn, had truly stated. But in order to account for its not having been insisted on in the definitive treaty, their Lordships ought in candour and in fact to carry their minds back to historical facts, and to compare them with the present treaty. Holland had long submitted to the right claimed and exercised by this country of the honour due to the British flag. France and Spain had pertinaciously refused to acknowledge it. Could His Majesty's negotiator, therefore, in the discharge of his duty as a plenipotentiary vested with powers to negotiate a treaty between four contracting powers, expect to be able to persuade the other plenipotentiaries to admit a stipulation of the recognition of a right which two of the contracting powers had never acknowledged, though the other had ever since the year 1515 acknowledged, and submitted to it. In no treaty with France or Spain was the recognition of this right to be found; and it must remain as it had hitherto done on the power of practically enforcing it. His Lordship next came to speak of the stated variances between the definitive treaty and the preliminary articles, the first of which was the supposed departure from the sixth article of the latter, which stipulates "That the

territories and possessions of her most faithful Majesty shall be preserved entire." His Lordship reminded the House, that under the words of that article of the preliminary treaty, this country could not possibly be understood to undertake for more, than to obtain a restitution of any territory obtained from Portugal by force of arms. The settlements of the limits of Guiana between the French and Portuguese was an arrangement adjusted by a separate treaty between Portugal and France, the treaty of Badajoz, to which this country was no party, nor could it possibly exercise any influence over it. But he did not, on a geographical examination of the limits specified in the seventh article of the definitive treaty, find the smallest reason to entertain the fearful apprehensions which his noble Friend, who moved the address, had declared to have forcibly impressed his mind. With respect to her most faithful Majesty having ceded a part of her domestic territory to Spain, that was in like manner the result of an arrangement adjusted between the Courts of Lisbon and Madrid, but of a very unimportant nature, it being universally declared that the ceded territory was unproductive and of little value, beyond the reach of the defence or protection of the Portuguese Government, and had been, insignificant as it was, the subject of long, and repeated disputes between the two Crowns. The disposal of Malta had been another theme for the display of his noble Friend's eloquence, and he had argued upon it with an ardour, that seemed to have pervaded him that Malta must very soon fall into the hands of the French Republic, but a candid and dispassionate view of the tenth article of the definitive treaty would convince every impartial man, who would temperately weigh and consider the several stipulations of that article, that there was not the smallest probability of such a result arising. The French and English languages were put an end to, and a Maltese langue was directed to be established, the forces of his Britannic Majesty were to evacuate the island and its dependencies in three months, after the ratifications, or sooner, if it can be done, and the island was to be delivered to the Grand Master, or Commissioners properly empowered according to the statutes of the order, to receive possession. The garrison was to be half Maltese, and the supreme command, as well as the appointment of the officers, were to be vested in the Grand Master, upon certain conditions, and the ports were to be open to all nations, with other necessary stipulations. Could any man hear these facts, and not be convinced, that
abundant

abundant care had been taken to guard against the influence and dominion of the French. Supposing for a moment, what was almost incredible in itself, that his Sicilian Majesty should, either through the predominating influence or power of France, be induced to betray his trust, did any man believe, that if this country saw France preparing to send a force against Malta, Great Britain would not instantly dispatch a superior force to protect the island; and, with the assistance of the Maltese, allowed on all hands to entertain a strong predilection for this country, could much doubt be entertained of our success in counteracting the efforts of France, in case she should attempt to make a conquest of Malta and its dependencies?

With regard to the restoration of Egypt to the Porte, that great and important event had been effected even prior to the cessation of hostilities, through the distinguished valour and brilliant success of the noble Admiral he saw near him, (Lord Nelson) and the bravery and skill manifested by the commander, officers, and soldiers of his Majesty's forces, who had subsequently landed and subdued the army of the French Republic, checked their progress, and finally compelled them to evacuate the country. It was to be remembered, that one reason why our forces could not more essentially conduce to the protection of Portugal was, that they were necessarily withdrawn for the purpose of attaining an object in Egypt of infinitely higher importance, as the safety of our Indian possessions depended on it. His Lordship spoke of the late Ministers in terms of great respect, acknowledging that their spirited and vigorous exertions had not only led to our successes in Egypt, but at Copenhagen, where the same gallant hero to whom he had just alluded (Lord Nelson) had equally distinguished himself, and secured the admiration and gratitude of his country. He adverted to the argument that had been advanced respecting the Russians made prisoners by France, while they served as auxiliaries to the British army, and treated the conclusion of the noble Lord who moved the address, that we were liable, under the treaty, to be called on to pay for furnishing them with clothes, arms, and ammunition, which they were to direct against us, as scarcely worth a serious argument. After having most fully examined every objection that had been urged against the different articles of the definitive treaty, and opposed much copious and powerful reasoning to satisfy the House that the objections were ill-founded and inapplicable; his Lordship came to the consideration of the address itself. He took notice that his noble and learned friend (Lord Ellenborough) had said, that it would have been more manly and

more dignified in the noble Lord who moved the address, if he really thought that his Majesty's Ministers had made the bad peace that he had described it to be, to have come forward with a direct and unqualified address to his Majesty, advising him to dismiss his present servants as wholly unworthy of his confidence. His Lordship said, that his reason for objecting to the address moved by his noble friend was, that in substance and effect, though not in terms, it amounted to the very address that his noble Friend described; it was in fact an address of censure and removal; and as to that part of it, which recommended instant negotiation and remonstrance upon important points, stated, but in his opinion most erroneously, to have been neglected in negotiating the present treaty, he agreed with the noble Duke who moved the first amendment, that to open a new negotiation upon such grounds, after a definitive treaty had been concluded in all its forms, would be to "negotiate with a drawn sword in our hands," and must inevitably lead to a renewal of the war. His Lordship discussed, at some length, a great many collateral, but subordinate points, which had been incidentally touched upon in the course of the debate, and concluded with declaring, that if the House, after candidly considering the articles of the definitive treaty, comparing them with the circumstances under which the treaty was negotiated, and holding in mind that the definitive treaty was founded on the basis of the preliminary articles, which received the almost unanimous approbation of the House, thought that Ministers deserved the censure implied and insinuated in his noble Friend's address, they would vote for it, and disregard the amendment of his noble Friend the Secretary of State.

Earl Camden said, in many of the arguments that had been urged by his noble Friend (Lord Grenville) who opened the debate, he entirely coincided. He was neither satisfied with the preliminary articles nor with the definitive treaty; he thought the cessions made on our part were many and valuable, and that nothing equal to a fair balance had been ceded to Great Britain, or retained by us; there was not, therefore, a reciprocity visible on the face of the treaties. Nevertheless, as the country anxiously panted for peace, and their hopes and prospects of soon obtaining it had been raised and encouraged by the preliminary treaty, perhaps what had taken place in the interim, unprecedented and unwarrantable as the transactions on the part of France had been, would not have justified a rupture of the negotiation; and, therefore, it might be held right to advise his Majesty to order the definitive

live treaty to be signed. He said it gave him pain to feel obliged to vote against his noble Friend, but as the noble Secretary of State's amendment contained the best and most essential parts of his noble Friend's address, and particularly that very important advice to his Majesty, to declare that he would concur in no farther encroachment or aggrandizement on the part of the French Republic, he should vote for the amendment, and the more especially, as he thought that it being known that the address carried up to the Throne was an address amended by the Secretary of State, it would have a better effect, and make a more favourable impression abroad, than if it came from any noble Lord who objected to the peace. Besides, as the peace was made, and his Majesty must, for the sake of preserving the public faith, carry the treaty faithfully into execution, his Lordship said he thought it right to support it.

The Duke of *Richmond* said, late as the hour was, he felt it his duty on so important an occasion to deliver his sentiments as concisely as possible, and he was the more anxious to do so, as he had not been able to be present at the discussion of the preliminary treaty, this was therefore the first opportunity that he had experienced to speak upon the subject. He had listened with great attention to the detailed and masterly arguments of the noble Lord who moved the original address, and he owned he felt conviction upon a great many of the points which the noble Lord reasoned upon. At the same time that he said this, he did not mean to be understood as one of those who approved of the conduct of the war in all its parts. He thought that it had not been wisely or economically conducted. In particular he must complain of the lavish manner in which the public money had been squandered in running after every petty German prince to beg that he would take some of our cash; not that he was an enemy to subsidies when properly applied, and due care was taken that Great Britain should receive the advantages proposed in granting each subsidy. In all former wars we had the command of the troops supplied by the different German princes subsidized to furnish auxiliary forces. They then acted under the orders and at the direction of our generals, and could be efficiently applied, in which case they added real strength to our army. The case was different during the last war, and, in consequence, our operations were weakened, and the troops of the German princes of little advantage to us. In other matters, the Duke said, the conduct of the war had appeared to him

to

to be highly objectionable, and mostly so in the tardiness of carrying our military plans, as to the land service, into execution. He said, what the noble Earl who had just sat down had said in one part of his speech, respecting the better effect and impression abroad, if it was known that the address carried to the foot of the Throne was amended on the motion of the noble Secretary, struck him forcibly and was deeply impressed on his mind; he wished, therefore, he could reconcile himself to vote for the amendment. He had a great respect for his Majesty's present Servants, with some of whom he had the pleasure to be well acquainted; he thought well of their intentions, manifested by their conduct during the short time that they had been in office, and he wished there could have been unanimity on so important a question as a vote of approbation of a definitive treaty of peace, which having been concluded, signed and ratified, he was ready to agree with all the noble Lords who delivered their sentiments in the course of the debate, must be faithfully carried into effect in every article. Exclusive of the several omissions in the definitive treaty, he could not but think that nothing short of the strongest necessity could have justified the making of such a disadvantageous peace, a peace by no means adequate to the just and reasonable expectations of the country, that no such imperious necessity existed was allowed by his Majesty's Ministers themselves; why then be in such a hurry to conclude peace at such a moment? Was it for the honour of the country to offer peace to the enemy, and to submit to the most humiliating terms during the expectation of a threatened invasion? Did it indicate the high spirit of a brave nation, which had carried on the war single handed with the greatest success in all quarters of the globe? Were we not prepared at all points to repel the invaders, if they had dared to carry their menaced purpose into execution? Had we not insulted their coasts and braved them in their ports, after having broken the northern confederacy by the intrepid conduct of the hero (Lord Nelson) who sat on the bench below him? He disapproved of a change of system under such circumstances. He must therefore, the Duke said, continue to consider that the negotiations had been pressed to a conclusion in an evil and inauspicious hour. He, nevertheless, gave Ministers credit for having acted as they thought for the best, but he hoped they were not blind to the critical situation in which the country stood at present. Great vigilance, great activity, and great economy were wanting and would be expected at their hands; not a little

narrow

narrow economy that was disgraceful and useless, but a wise and well directed economy, regulated by the rules of true policy and sound judgment. His Grace declared he did not doubt that the present Ministers meant well, and they might assure themselves of his support to every prudent and efficient measure that they should bring forward; but he must stop short on the present occasion, as he could not vote for the amendment.

Lord Hobart said, he trusted the situation in which he stood, as one of the Ministers whose character was materially involved in the opinion the House might form upon the question before them, would be his excuse for venturing to hope for the indulgence of their Lordships at so late an hour. He had listened to the noble Duke (Richmond) with that attention that was due to a person of his respectable talents and parliamentary experience; and, however strongly he might feel the advantage of obtaining his Grace's concurrence on the present occasion, more especially if it should be accompanied by an unanimous vote, he could not think that the Government ought to forego their just pretension to call upon the House for an approbation of their conduct in having concluded a definitive treaty upon the basis of the preliminary articles, even at the hazard of that unanimity which would otherwise be so extremely desirable. The noble Duke indeed, who had not voted upon the preliminaries, might consider himself perfectly at liberty with respect to the definitive treaty; but he was at a loss to understand, upon what ground any noble Lord who had supported the preliminaries could withhold his assent from the treaty then under the consideration of the House. The noble Duke had disapproved of the peace on account of the time at which it was negotiated. He had disapproved of negotiation when invasion was threatened. He disliked a change of system under such circumstances. Lord Hobart denied that any change of system had taken place in that respect, since the present Administration had come into office. The noble Lord opposite to him (Lord Grenville) some time before he relinquished his official situation, had repeatedly assured the House that the question of peace was reduced to a question of terms. The present Administration, immediately after their accession to office, had expressly declared, upon being pressed for a communication of their sentiments respecting peace, that they would make no professions upon that subject, they only desired to be judged by their actions. It however was now evident, that they had lost no time in opening a negotiation. That
negotiation

negociation had indeed been protracted from various circumstances, but principally from the situation of affairs in Egypt. The French, in the expectation of a successful issue to the contest in which they were engaged in, in that country, were not disposed to conclude a treaty founded upon the presumption of their failure in that enterprise; his Majesty's Ministers would agree to no terms which admitted the possibility of a contrary result, and thus the negociation was protracted, until the persevering valour of the British troops had nearly effected the expulsion of the French from Egypt. With respect to a threatened invasion, his Lordship observed, that there might have been a time when the reinforcements which it was judged necessary to be sent in support of our gallant countrymen in Egypt, might, to a certain degree, have created an idea that we had weakened ourselves at home. But long before the negociation was brought to a conclusion, our preparations were such as to leave no apprehension upon any man's mind for the consequences of any attack which the French might have ventured to undertake. Upon the ground, therefore, of threatened invasion, the objection of the noble Duke could not apply. In other respects Lord Hobart considered the time of concluding the treaty as peculiarly well chosen. No doubt was then entertained of the prevailing sentiments of the people in favour of peace. Delay would inevitably have produced petitions upon the subject from every part of the country; and it could hardly be necessary for him to point out to the House the disadvantages which must have attended a negociation commenced under such circumstances; disadvantages, indeed, of such a nature, as could leave no hope of the treaty so undertaken, being concluded upon terms, to which a Government that really valued the honour and interest of the empire could possibly accede; delay therefore could only have rendered peace unattainable, and have led to dishonourable conditions. Lord Hobart then said, that he could not refrain from making some few remarks upon certain topics which had been urged by a noble Lord (Lord Grenville) in the course of his speech, and, first, with respect to the Cape. He had formed a decided opinion upon that subject, in some degree from his own observation, but principally from communications with a variety of persons connected with India, with intelligent naval officers, with officers belonging to the East India Company's ships, as well as with other men capable of thoroughly understanding the value of that station; and he could add the high and respectable

able authority of the noble Lord at the head of the Admiralty, who from indisposition had been obliged to leave the House, and he could explicitly declare, that he had scarcely ever met with one person who did not consider the Cape a burthen rather than an advantage to this country. Lord Hobart here took occasion to advert to the opinion of Mr. Dundas, which his Lordship said had been publicly pronounced in favour of the Cape. Lord Hobart next went into a detail of his reasons for the opinion he had offered to the House respecting the Cape; that the expence of it had been enormous, that its revenue did not pay its civil establishment; that it was a peculiarly expensive station for ships; that for the six months they could be in Table Bay, it was not a perfectly safe one; and that for the other six months, when they were forced to go into Table Bay, it was extremely inconvenient as a port of refreshment; that no firewood could be procured except at an enormous price; that as a situation from whence the enemy might interrupt our trade to and from India, he could assure the House little apprehension need be entertained. Ships on their voyage to Europe from China and India, at the proper seasons, are able to take so wide a range on going round the Cape, as to be out of danger from enemies' cruizers from that station. Ships that have to double the Cape, even in the tempestuous season, are not under the necessity of making the best course they can take, being about thirty leagues from the land upon the edge of the bank, where the current is ascertained to be so strong as to enable them to resist the violence of the winds. At that season, indeed, those who know what French cruizers are in blowing latitudes, could inform their Lordships how difficult, if not impossible, it would be for them to keep their station. With regard to ships on their voyage to India, the westerly winds that prevail in the latitudes of 37 and 38 South, render it unnecessary that they should ever approach the Cape. Upon this ground, therefore, Lord Hobart was decidedly of opinion, that any alledged danger from the Cape falling into the hands of an enemy was not deserving of much attention. As a port of refreshment, Lord Hobart observed, that our India ships (such was the improved skill of our navigators) touched no where on their passage to India, and on their return St. Helena answered every purpose. Ships of war on their way out might, indeed, have occasion to go to some port for water and refreshments; but had they not the island of Madeira, the Cape de Verd islands, and Madagascar, and

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especially the latter, where they might procure fresh provisions in abundance? Upon the subject of Rio Janeiro, Lord Hobart said, that he should have occasion in the course of what he had to state to their Lordships, respecting the Arawari, to notice a notable discovery that had been made by the noble Lord (Grenville). That noble Lord had again dwelt upon the advantages we should have derived from the possession of Cochin, which he had told us we might have; that it was well known that the Dutch set scarcely any value upon it; information to which he was inclined to give implicit credit. Cochin, previous to the destruction of Tippoo and his empire, in a political point of view, was undoubtedly of great importance, either as it afforded us the means of entering the valuable districts which he possessed upon the Malabar coast, or as it would have given to any European power who was master of it, a facility of communication and military assistance to that prince. But by the late glorious successes of the British arms against Tippoo, the whole of the districts in question have been placed under the Company's government, and Cochin is thus reduced to a position so circumscribed by those districts on the one side, and by the Rajah of Travancore on the other, that a garrison stationed there could not subsist but by the indulgence of the British officers. Under these circumstances, the exchange of Negapatam for Cochin, even if it were not an unhealthy situation, was no longer a desirable object for this country. Lord Hobart then said, that it was impossible for him to pass unnoticed that part of the noble Lord's (Grenville's) speech which related to the river Arawari. It had been represented as a naval station, from whence the commerce carried on by the Portuguese in the river Amazon might be completely destroyed; and this statement, his Lordship conceived, had been founded upon a chart that had been reduced and annexed to a periodical newspaper. Lord Hobart proceeded to say, that having minutely examined the subject, he should take the liberty of stating, that the great depot of the Portuguese trade in that part of the world was not, as appears to have been generally supposed, within the Amazon river; that it was at the city of Para, situated in the province of Maragnon, near the river Tocantins, that discharges itself into the sea at Cape Maguari, which forms one extremity of the gulph, that may be called the mouth of the Amazon river, but which cannot be less than 150 miles south east of the Arawari. That the Tocantins receives the
waters

waters of various other considerable rivers, by which the produce of the neighbouring countries is brought to Para, and that the productions of the countries bordering on the Amazon, as well as those conveyed down the several streams, which lose themselves in that great river, make their way to Para along the Tapigura, which communicates with the great river on which the city of Para is situated. In order to place this subject in its true point of view before the house, Lord Hobart expressed a hope, that he might be allowed to communicate some of the information he had collected concerning it, principally for the purpose of shewing what the mouth of the Arawari was ill calculated for a naval station, and that it was not, as it had been represented, so situated as to obstruct the communication of the Portuguese traders with the Amazon river. The celebrated academicien, M. de la Condamine, who visited Para in 1743, states, that by means of the direct commerce between Para and Lisbon, European articles are received at the former place in exchange for the commodities of the country, which, besides those brought from the interior of Brazil, consist of various useful productions from the rivers that lose themselves in the Amazon, as well as from the territories bordering on that stream. (*Condamine, Voyage de la Riviere des Amazones, p. 174.*) These articles are conveyed to Para by the channels which Condamine himself navigated; that is to say, either by the Tapiguru river, which insulates the island Marajo, or along the northern shore of that island. The Count de Pagan, who drew up an account of the Amazon river and country, for the purpose of inducing Cardinal Mazarine to undertake the conquest of it, particularly points out the track to be pursued, in entering the Amazon river from the ocean, to be along the coasts of Brazil, of the province of Macagnan, and of the island Magajo, to the south of the line; and the general cause thus described (allowances made for an imperfect projection of the coast) has the assent of that distinguished geographer M. de la Rochette. The channel of the Amazon from the North Cape, laid down in the Dutch coasting pilot of Guiana, however useful it may be for vessels entering the river from the northward, cannot, without error, be considered as describing the course requisite to be considered by the traders between Portugal and the provinces on the Amazon. It appears manifestly designed to delineate the track of the country trade. "From the Arawari

river (says the author of the *Description Geographique de la Guianne*) the coast runs twenty leagues to the south-west, during which course islands of different magnitudes form a canal, or passage, along which the barks and small craft of the country pass (*les barques et petits batimens de pays*) in going from Macapa to the North Cape." But even in this point of view, the mouth of the Arawari, that limits the French and Portuguese, Guiana could not afford to ships of force a station from whence they might obstruct the navigation, because the coast is then subject to the continual recurrence of a periodical and formidable phenomenon, called by the natives the Pororoco; and which is thus described by De la Condamine. "Between Macapa and the North Cape, where the great head of the river is chiefly narrowed by the islands, especially opposite the great mouth of the Arawari, the tides offer a singular phenomenon. During the three days nearest to the full and new moons (the periods of the high tides) the sea, instead of taking six hours to rise, attains its highest elevation in the space of one or two minutes; it may be supposed this effect does not take place quietly. A frightful noise, from the distance of one or two leagues, announces the Pororoco, so called by the Indians of the district. As it approaches, the noise encreases, and presently a promontory of water, from twelve to fifteen feet in height, appears followed closely by a second, a third, and sometimes a fourth, which occupies the whole breadth of the canal, destroying and carrying before it every thing opposed to it. I have in some places seen a large tract of ground carried away by the Pororoco, large trees forced up by the roots, and every species of devastation. Wherever it passes, the shore is as smooth as if it had been carefully swept. Canoes, boats, and even ships, can only avoid it by anchoring where there are deep soundings. The fear entertained by the chief of my Indians, of not being able, in the five remaining days in the spring tides, to reach the Cape, from which we were distant only fifteen leagues, made them determine to wait nine days upon a desert island, until the full moon should be entirely past."—Lord Hobart then said, that before he quitted this part of the subject, he must advert to that extraordinary discovery which the noble Lord (Grenville) had made, of the danger that would arise to our ships bound to Rio Janeiro, in their way to India, from the extension of French Guiana to the river Arawari. He would not comment upon the noble

Lord's

Lord's apprehensions in that respect; he would simply state, that the Arawari was situated about two degrees north of the line, and Rio Janeiro in latitude twenty-three degrees south, being a distance of twenty-five degrees. Lord Hobart said, there were other points upon which he should have wished to have stated his sentiments, but with which at that hour he would not trouble the House. It was, however, necessary that he should see the noble Lord (Grenville) right with respect to one circumstance. The noble Lord had supposed that Lord Hobart had said no explanation had taken place at Amiens upon the subject of India. He begged leave to declare, that he had said no such thing. The expression he had made use of, and which, under the most perfect conviction, he should now repeat, was, that the French Government had advanced no such pretensions with respect to India as the noble Lord had suggested; and that, but for the language held by him, there was no reason to believe any such would be entertained. A duty he owed to his noble Friend at the head of the Admiralty, and, indeed, that was in some degree due to himself, called upon him to advert to a part of a noble Lord's speech (Lord Roslyn) wherein he had justly stated, that the expedition to Egypt had been undertaken, and so nearly completed, by the late administration, that the merit of it, since it had succeeded, was their due, as, in the event of its failure, the blame must equally have attached to them. But in speaking of the expedition to the Baltic, the noble Lord had held a language of a similar tendency; a language with which Lord Hobart could not so entirely concur. He was perfectly ready to admit that the late administration was entitled to all the credit that can be given to those who had formed the resolution to support the maritime rights of the British Empire at all hazards; which, considering the situation of affairs at the time, was a bold, though necessary, undertaking. In justice, however, to the noble Lord now at the head of Admiralty, he must assert, that, when the measures for maintaining those rights by force of arms were taken, the noble Lords opposite to him (Spencer and Grenville) were no longer in the Cabinet. Lord Hobart added, that he would take the liberty of reminding the House, that in the course of the last session, when the success of the Baltic expedition was extremely doubtful, he had, from the very place where he then stood, explicitly claimed a share in the responsibility of that measure.

Lord

Lord Spencer rose to make a single observation upon a part of Lord Herbert's argument, that respecting the expedition to the Balcic, which was resolved upon, planned, and set about by those who were his Majesty's late Ministers, but who did not continue long enough to put it in execution. Most undoubtedly the merit of the dispatch with which the ships were got ready and sent to sea lay wholly with his noble Friend; the noble Earl now at the head of the Admiralty.

Lord Grenville rose to explain to a particular part of that noble Lord's speech who had just sat down, respecting the limits of the French in Guiana; he had not even mentioned Rio Janeiro, because he well knew where it lay. What he had said was this: that the French being in possession of that part of Guiana bounded by the Arawari, it would, during a war, enable them to oblige the Portuguese to shut out British ships from the Brazils, where it was sometimes useful for our ships from India to touch, water, and obtain refreshments; and if we were excluded from the Brazils we could put in at no place nearer than Madagascar, where we should find but poor accommodation. His Lordship said, at that late hour (seven in the morning) he was too much fatigued, (as their Lordships must be) to enter into a reply, otherwise he should have been glad to have given an answer to some most serious arguments that had in the course of the debate been opposed to his objections.

The Duke of Norfolk rose to say, that as many noble Lords seemed to prefer the amendment proposed by the noble Secretary of State, he was willing, with permission of the House, to withdraw the amendment which he had previously moved.

Earl Stanhope immediately said, he would not consent to do; and he observed, that if any one noble Lord refused to consent, the question for withdrawing it could not be put.

This gave rise to a long dispute about proper questions to be put, in which the Lord Chancellor, the Earl of Radnor, the Duke of Richmond, Earl Stanhope, and Lord Alvanley were speakers.

Earl Rosslyn said, the amendment of the noble Secretary, as it proposed to omit words in the address that stood before those that were to be left in the address, if the noble Duke's amendment was taken, the question was out of dispute. The question must, as a point of order and regular form, be put upon the amendment of the noble Secretary of State; which, if carried, would wholly supersede the other.

Lord

Lord Grenville said, noble Lords had been disputing about an amendment which had never been moved, the noble Secretary of State having done no more than read his intended amendment as a part of his speech.

It was instantly suggested, that as no question had been put, the noble Secretary of State was still in time to move his amendment.

Lord Pelham immediately moved it, and Earl Stirling, having declared that he did not object, as his object was to speak the address moved by the noble Lord (Grenville) who sat on the bench below him, "That the words of the address moved to be omitted should be part of this address," the question was put, when the Members were, on the division,

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The question was then put on Lord Pelham's amendment which was carried without a division.

After the division Lord Holland rose and said, that at that hour he should move the resolution he held in his hand with no other preface than this, that their Lordships had sanctioned the treaty of peace with France, that nothing but necessity could justify such a treaty; but that necessity had, he believed, existed, and that it became the character of their Lordships to record on the journals of the House, the circumstances which had induced them to acquiesce in such extensive sacrifices on the part of his Majesty. For this purpose he moved—

That the omission of various opportunities of negotiating a peace with advantage to this country, and more particularly the rejection of the overtures made by the Chief Consul in January 1800, appears to this House to have led to a state of affairs which rendered peace so necessary to the preservation and safety of the empire, as to justify the important and painful sacrifices which his Majesty has been advised to make for the attainment thereof.

The Duke of Montrose said, that when last the noble Lord had given notice of a motion to censure the late Administration, he, conceiving that the censure intended to be moved was of a more general nature, had announced his intention of converting, by an amendment, the motion of censure into a motion of approbation of those Ministers to whom the country owed so much. As it was, he should confine himself

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 himself to this observation, that the rejection of Bonaparte's
 overtures were to be judged by the circumstances which then
 existed and not by any subsequent events. When Bonaparte
 sent his letter to his Majesty, it was to solicit the negotiation
 of a separate peace with Great Britain; that he wrote also
 at the same time to Vienna and to Petersburg to solicit
 Austria and Russia to make a distinct peace each of them
 with the French Republic. This was obviously an infamous
 design to divide and separate the allies. The question was
 then put and negatived, and the House adjourned.

LIST OF MINORITY ON THE DEFINITIVE TREATY.

Buckingham	Grenville
Carnarvon	Darlington
Kanyon	Carysfort
Richmond	Fitzwilliam
Carlisle	Fortescue
Spencer	Mansfield
Radnor	Warwick
Minto	Cawdor

HOUSE OF COMMONS.

THURSDAY MAY, 13.

A number of reports were received, and bills, &c. forwarded
 in their respective stages.

DEFINITIVE TREATY.

The order of the day for taking into consideration the de-
 finitive treaty being read,

Mr. Windham rose, and in a speech of two hours and three
 quarters, entered into the subject with great ability. We
 shall endeavour to follow its leading topics:—Upon a subject
 which has already received a good deal of discussion in several
 important points of detail, I hope I shall not be under the
 necessity of troubling the House with any argument of great
 length. If, however, I am relieved from that necessity, I owe
 it to that mode of proceeding to which some have objected
 as irregular. The best proof of the propriety of the conduct
 of those who brought various points of the definitive treaty
 separately before the House will be the manner of our now
 coming to the general examination. Who can deny that
 every man who has attended those discussions must find him-
 self

self better prepared, better informed, more competent to form a fair and accurate judgment on the whole subject by the separate explanations, and the additional lights which have been derived from the preliminary debates? By having investigated the points in detail we are qualified to pronounce a decision on the whole case. Much ground has been cleared, many questions have been answered, many difficulties have been elucidated which must otherwise have perplexed the consideration of a subject, in itself so full of matter, so little susceptible of being reduced into a short compass. Assisted by those previous inquiries, we are enabled the better to shape the argument to those parts of so complicated a subject as are the most deserving of consideration. I therefore proceed to take a view of the leading points of the definitive treaty. The order is indifferent, and I begin with Malta. After the discussions we have already had regarding the situation in which our interests in that island are left by the treaty, it is unnecessary to enlarge upon the advantages which the French have gained by the stipulation of neutrality. It is clear that, including the force of their allies, Spain and Holland, they may have eighteen ships of the line in its neutral port, while we have no more than six. But these points of detail are of inferior importance. The whole disposition of the island of Malta renders the stipulation of neutrality fictitious. The garrison must in fact be French. It is in vain to talk of the mummery that there shall not be this langue or the other langue. The whole is French. If any man denies this to be the case, I shall be very happy to see his opinions and his reasons recorded; that they may be compared with the sure result. So far from having restored the order of Malta, we have, by the arrangements of this treaty, made war upon it in the very spirit of French principles. This little order, which contained in itself the great characteristics and distinctive qualities of that which the French revolution served to destroy, we have now concurred to overthrow. The little phial which contained the essence of the old principles, Ministers have diluted, not even with common water, but with water from the puddle: its third degradation; how can its ancient spirit be kept up? Nay, it is already understood that the German Knights refuse to serve in a body so degraded and fallen off from its original and peculiar character. Who does not see that Neapolitan soldiers can never form any security for the independence of the island? The thing is ridiculous. The

argument may be put into the shape of a syllogism. If France cede, Naples puts in the garrison, and the garrison holds the island of Malta, what is the conclusion? In truth, the state of Malta is a virtual and total surrender, with a ridiculous manner infinitely disgraceful to the reputation of our national councils. Far better would it have been to have made an absolute cession of it, and thus have acquired a claim to compensation and equivalent, than to have formed a vain and futile pretence to establish its neutrality and independence. At present our footing and interest in the Mediterranean, which used to be reckoned of so much importance, are utterly abandoned. In this, and in various other points, there is a marked variation between the preliminaries and the definitive treaty, to the disadvantage of this country. The Cape of Good Hope is given up in full sovereignty to the Dutch, so that the latter may, whenever they please, surrender it to the French. The question of its being made a free port is left entirely at the option of France, and in such an alternative, we can only expect that it will be made a free port, if that mode of keeping it were to be less favourable to England than any other. But it is said, however, that the Cape is but a tavern. Be it so. Is not a tavern in the middle of so long a voyage a very important accommodation? Nay, without it how can troops be sent out for the protection of your Eastern Empire? Without the refreshment of that tavern, troops must be sent to India in such a state as to endanger their health, and to land them, probably, unfit for service for six weeks, perhaps too on an emergency when their immediate services would be required. The only other place of stopping is the Brazils, and how can we calculate that in time of war we should continue that facility? Our Indian Empire then being our sheet anchor, every thing accessory to its preservation and defence is of the utmost importance. While we lose any advantages from the Cape, see what France gains, what she gains likewise by the restitution of Cochin to the Dutch, and the additional means of annoying our possessions which her coalition with the Dutch must afford. With respect to the boundaries of French and Portuguese Guiana, it appears to me that, even with the benefit of all the previous considerations, this subject, which could not have been understood at all, is now very imperfectly understood. Ministers seem to have been puzzled with the Catapanatiba, the Arawari, &c. The Arawari is at last agreed to be the limit, but in fact there is little

little difference between the treaty of Madrid and that of Baydajos as to the boundary. The object of the French is gained by the latter as well as the former. They obtain the complete command of the navigation of the river of Amazonas. But why, instead of describing the boundary in the preliminary articles, was it not expressly said it should be the Arawari?—That the boundary of the Arawari still leaves the Portuguese settlements exposed to the designs of France, is what I contend. It is a point, indeed, which is to be ascertained by maps, and on their authority I rest the assertion, that the Portuguese have not acquired that security which it was the object to procure. When I look also at the cession of Louisiana to France, a point acquiesced in by the definitive treaty, it is of a magnitude that I am at a loss to describe in adequate terms. Taking the indefinite extent of Guiana and the cession of Louisiana, we may be said to give away a fourth part of the globe. We have given the command of the two greatest rivers in the world—the Mississippi in the north of America, and the river of Amazons in the south. Rivers are the vital parts of countries: we may be said therefore, without hyperbole, to have given away a brace of continents. Never was there such a lavish, prodigal, thoughtless spirit of cession! Ministers have really scattered pearls like barley-corns; and I am amazed to see, with what coldness and indifference the country has viewed transactions of such importance, by which so many of the most valuable interests have been lavished upon their rivals, and so many stipulations pregnant with danger and pain to themselves, are contained. In addition to their considerations with regard to foreign objects, the whole continent of Europe is abandoned to France. I should think, indeed, that instead of our being called upon to allow the danger of such a state of things, those who have acquiesced in so monstrous an innovation, are bound to show that it is consistent with the public safety. While they are letting in tides, which are spreading so furiously in every direction, it is their business to shew us what they will not inundate, what they will spare. We follow this torrent, threatening our rights, in many different tracts. We see it endangering us at Honduras, we see it menacing to shake, and unsettle in India, the dearest part of our foreign empire. But this matter will require a more particular discussion, and I am glad that it has already been the subject of debate. That the definitive treaty has not settled our rights in such a manner as to pre-

clude all doubts, I perceive from the fact admitted the preceding night by my right honourable Friend (Mr. Dundas) a person so usually conversant in the affairs of India, that, in the first instance, he was alarmed least, that by the non-renewal of treaties, particularly the convention of 1787, some danger to our Indian dominions might arise. That any uncertainty was ever felt by him, is at least a proof of the fact that uncertainty may exist. We contended that by the abrogation of the convention of 1787, founded upon and referring to the treaties of 1783 and 1763, something was taken away, which had formerly quieted the claims of France, and secured the rights of this country. But it was said, that it was better to get rid both of the disease and of the remedy; and doubtless it is possible that a constitution may be improved by such an operation. This argument was at least to the point, whether it was conclusive or not. With regard to the arguments to prove the clearness of our Indian rights, they seemed rather less to the point. We were told, in lofty and magnificent phrases, of the justice of our cause. But who had said that our cause was not good, that our rights were not clear? We have to contend with an adversary who may not chuse to appeal to the House of Commons. The argument was all thrown away, for it was *coram non judicis*.—The question is, what will the enemy say, and how should you have acted to meet his objections? If disputes were to be settled by a man and his own attorney, the business of Westminster Hall would be not a little diminished; but unfortunately, when the matter is very amicably settled, the adversary comes and drags the suitor into court. So to discuss the justice of the cause here, when nobody disputes it, seems to be a waste of very excellent argument. The honourable Gentleman, like Ajax, rushes tremendous forth, selling down us poor cattle, instead of reserving his might for the foes who may resist him. We all know that previous not only to the convention of 1787, to 1783, even then had been claims respecting Indian trade and territory set up by the French. What reason have we to think that the present Government of France will drop any pretensions hostile to this country which former Governments had advanced? In 1783, as well as I am afraid will appear to have been the case in 1802, points were left unsettled, and new explanations became necessary. The convention of 1787 was more favourable to us, because concluded in a moment when England could negotiate with greater effect, and it gave us the most satisfactory security.

security. The French abandoned the means of enforcing any claims of a kind that could have proved injurious to us. But why were not means taken to prevent the possibility of claims by which our empire in the East may be disturbed? What has been doing for the last seven months? Our rights, whether of conquest or treaty, as so ably distinguished and demonstrated the preceding night, are unquestionable; but is there not reason to apprehend a renewal of former evils? From some parts of the speech of my right honourable Friend (Mr. Dundas) I should have been led to think that he had been napping, and on his awaking had imagined that we were still at open war—He talked of drawing the sword against any power that should dispute our rights, and exultingly dwelt upon our strength in India. It is very true that our strength in India may defy all attack, but does he not know that though the dispute is in India, the battle may be fought in Europe? Like an action at law, the right may lie in Chancery, and the issue tried in Westminster Hall. The French may think us strong in India, and weak in Europe. We have seen already how, by a close squeeze in Europe, they have made us vomit up what we had gorged elsewhere. We have sufficient ground to conclude, from the past conduct of the French, that they will employ any means to accomplish their ends. See how fraudulently they obtained the restitution of Porto Ferrajo to the king of Etruria, afterwards to obtain it for themselves. They did not compel that monarch to pay garnish on his first entrance into the spunging house, where they have lodged him. Without the least regard to the stipulations of any treaty, they gained the whole island of Elba for themselves, and then proceeded to rob Naples of Piombino, and gave it as a compensation to the king of Etruria. The definitive treaty, however important it is in itself, and in its immediate provisions, becomes infinitely more so when it is combined with the state of Europe. It is impossible, indeed, to bring all the considerations which that combined view of the case would present into the compass of one debate. To enable us duly to appreciate our situation in consequence of this treaty, we ought to consider what France has done, what she is likely again to do. We ought to know too what England is able to do to preserve herself from the dangers by which she is menaced. As to the first, to give an abridged view of it is as impossible as it would be to present the miniature of a vast colossus. The French power resembles nothing that has existed since the days

days of Rome: In ambition and spirit of conquest the French are a set of new Romans. Polybius expresses his astonishment at the extent of conquest which the Romans had been able to achieve in fifty-three years, and yet in ten years the French have acquired more. Were a Roman to view the state of Europe, he would parody the remarks of Polybius, and wonder that the Romans should have acquired so little in fifty-three years, when the French have conquered so much in ten. Let any one read Montesquieu's *Grandeur et Decadence*, he will find that it must be the system on which the French have uniformly acted for these last ten years. They follow it in their minutest arrangements. It is a sort of manual with them. Look at the map of Europe—there are but two nations that stand erect—one more from its distance from France than from real strength. Austria, indeed, is still strong in resources, but she is utterly deprived of all foreign aid. In this derelict state, who will say, that in the first storm that arises she may not go by the board? No single power can make head against France. There is not one which is not in danger on the first conflict that may ensue of being crushed by her tremendous mace. Some, indeed, admit that Europe is gone, and they say peace be with it! they think that come what will, we may take to our boat and escape. That might have been said formerly, but the spectre of French power pursues us in every direction. In Europe, in Asia, in America, it follows, continually scaring us with its threatening aspect. Look at the West Indies and see France in possession by cession of Martinique, Guadeloupe, and St. Domingo, since the preliminaries, by the permission of Ministers. It is pretended, indeed, that the recovery of that island from the blacks was necessary to the security of our own colonies; such is the opinion of those who are interested in the West India islands; but is that authority conclusive—allowing the fidelity and patriotism of these men to be unimpeached, as they certainly are? Is it not possible that the regard for their property may induce them to form an opinion of the policy of our facilitating the recovery of St. Domingo inconsistent with the interest of the nation? For my part, I conceive that the power of the Blacks, confined to St. Domingo, and without the means of extending beyond it, was much less formidable to this country than the establishment of the power of France. Even though the emissaries, or the example of the Blacks might have reached the other islands, still though private property might

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DEFINITIVE TREATY.

might have been endangered, the political interests of the State was less endangered. The West-India proprietors might think, that if the negroes obtained the ascendancy, their property would be ruined, while if the islands fell under the power of France, though the value of their own property might fall, it would not be entirely destroyed. This was a view of the case however, which, politically speaking, would not lessen the injury to England. Indeed, with the possession of St Domingo, with a port which almost commands our communications with our most important islands, it would become a most formidable neighbourhood to our colonial power, and in time of war would become a military station, from which we should be attacked, and a point which would give the enemy an opportunity to harass our trade. In fact, we have given up two continents to France. We have allowed her to be placed in a situation in which she will acquire such an influence over the American States, which at a future period might enable her to employ them with advantage against our most important interests. Such being the means of France, what is her will? Those who expected that the peace would disarm France of her hostility, we thought that she would be contented to cultivate the advantages of commerce and manufactures without animosity towards England, must now see that more than ever she pursues the grand object of universal empire. At every period, before the preliminaries, and since, she has expressed, without disguise, the spirit by which she is animated: she proceeds like a general, changing his guards, sending out his parties, marking out his ground, and arranging his plan of operations. Every thing is conceived and conducted in the spirit of hostility, and after having succeeded in the war of swords, now terminated, she enters with the same disposition and with the same hopes upon the war of the customs-house. What then are the means which Britain possesses, and how ought she to call them forth to ward off the dangers that assail us? In considering this we must inquire what are her moral resources, taking that word a good deal in the French sense. What is the mind to call forth and employ the physical means? In all animal life, and States may be considered as living bodies subject to the general laws of animated nature, it is observed, that the foresight of danger is generally in proportion to the force and means which are enjoyed to escape from that danger. It appears to us, that this nation has been more defective in the foresight of danger

get than in the means of repelling it. From this defect a great part of the calamities of the country at this crisis have arisen: the nation has too much undervalued its danger, and its exertions have fallen short, both of its means and of the occasion. At first, when the principles of the French Revolution were at work, when other nations were actually in conflict with it, when the havoc it produced was seen in the example of others, it was said that all this would never reach us, that the *menstruum* might dissolve the base metals with which it came in contact, but would pass harmless over the pure gold of the British Constitution. Men were not aware that the character of the revolutionary principle was to prey both on good and bad; nay, on the former in preference. In the year 1792, it was found that the pure gold of the British Constitution was as susceptible of the rage of jacobinism, as copper of the corrosion of aqua fortis. But, nevertheless, there seemed to be a strange and extraordinary indifference to the state of Europe, and to the progress of the hostile principle. Saug was the word. People were for letting other nations to shift for themselves; the high spirit and the politic maxims of our ancestors were forgotten. Even when other nations stood forward in the common cause of nations, in our defence as well as their own, there was no alacrity to participate in their exertions. The nation seemed not only to have no disposition to engage in the war, but to display a new and singular anxiety to avoid it. From this view of the state of Europe, from this estimate of the nature of the danger, arose the conduct of the war after it became inevitable. Differences of opinion existed as to the mode of carrying it on. There were persons of great abilities and high situations with whom I had the misfortune to differ on these views of things. Agreeing in many points with them, co-operating with them in a public capacity in leading objects, and respecting their talents and their motives, I was obliged to differ from them on the grounds at which I have hinted. The war was to be viewed either as an ordinary contest between two nations, and carried on upon the usual principles of annoying and weakening your antagonist till he was brought to equitable sentiments. The other was to consider it as a new and extraordinary war, which could be carried on with a system suited to its portentous nature. Hence, therefore, it was to be carried on by attacking enemies' colonies, capturing their ships, &c. or it was to be carried on by aiming decisive blows at the seat or center of the system from which

May 13, 1794

DEFINITIVE TREATY.

which the true principle of the war and danger proceeded. I do not mean to say that their different plans were exclusive. I only mean that the one more peculiarly arose out of the one view of the case, the other out of the other. Those who preferred attacking the center of the evil, did not think it wrong to aim at the advantages of the other, if the first failed; while those who directed their efforts to the colonies and margins of the enemy were equally agreed that the restoration of monarchy was a desirable object. In none, however, as I have said, was the system exclusive. I shall not inquire which of these was the best. The one was tried, the other, not; and whether that which was not tried would have succeeded, must remain a matter of judgment. I may add, however, that the plan which was not pursued was that most conformable to my own opinions. Except early in the war at Toulon, and afterwards in the melancholy affair of Quiberon, there was little or nothing attempted upon what I thought the peculiar principle of the war. To it, and upon that plan of conduct appropriate to it. As to the Quiberon expedition, at a time when the clamour was loudest against it, a right honourable Friend of mine (Mr. Pitt) with great manliness and liberality, said in this House, that he took his full share of the responsibility. Yet, fully acknowledging the generosity of that conduct, I am ready to avow—

Mr. Pitt (to order). I submit to the House whether it be consistent with order for my right honourable Friend to go into an historical account of opinions respecting the conduct of the war, particularly as that inquiry is not connected with any subject immediately under the consideration of the House. I beg leave also to submit to my right honourable Friend, whether he can consider the obligations which were in force when he and others were his Majesty's confidential servants, are now dispensed with.

Mr. Windham. I do not think that the obligations to which my right honourable Friend alludes, can be understood as preventing me from giving that sort of explanation on which I was proceeding. I was going on to say, that I considered the expedition to Quiberon, as a measure in which my right honourable Friend, and the majority of the cabinet, must necessarily have concurred, rather as a measure of my own, pressed by impetuosity—

Mr. Pitt (to order.) I cannot admit that my right honourable Friend, though he generously offers to undertake the whole responsibility of the Quiberon expedition, has, accord-

ing to my recollection, stated correctly the extent of the share which I had in that measure. I cannot think it consistent with the duty imposed upon the station my right honourable Friend filled, to divulge any consultations or opinions, (supposing his statement correct) which must have been expressed in official confidence.

Mr. *Windham*. I conceive that I was merely stating a circumstance personal to myself, and my right honourable Friend would have seen by the application, that my explanation could not have been considered as any disclosure of state secrets. I was going to have shewn that the country, having misjudged the war, the conduct of it naturally partook of what I conceive to have been error. What I say of the system of war, as, in my judgment, best suited to the circumstances of the late contest, is not an arraignment of my right honourable Friend, to whose department its conduct particularly belonged (Mr. Dundas). I can bear testimony to the diligence, the zeal, the activity, the ardour, and all the other great qualities which belong to him, which my right honourable Friend displayed. I do not arraign the plan of my right honourable Friend, neither do I divulge state secrets. I state what was no secret—that previous to the time when I came into public station, my right honourable Friend had marked opinions on the subject of the war, and that we did differ in our views on the subject. When I was interrupted, I was labouring to shew that the country had not rightly judged its situation, and that the mode of war pursued contributed to confirm their error. The country never knew sufficiently why it was at war. It had been said with great force and eloquence by my right honourable Friend (Mr. Pitt), on different occasions, that we were at war for security; we were indeed at war because we could not be at peace; we were at sea because we could not be on shore: yet though reminded of this, the character of the war itself, the grand monitor, was wanting. The manner in which it was carried on did not sufficiently mark its nature. The force was centrifugal. It never converged enough towards the focus from which the danger proceeded. The question, why we were at war, perpetually recurred, and people were not enough taught to see that we were at war because the French Government was such as to leave us no peace, and was necessarily in perpetual hostility with every thing which, as individuals and as a nation, it was our interest to defend. This error has pursued us into peace. No person who looked at the causes of war, could have looked at the terms of peace

peace without alarm. The country, however, is not sufficiently impressed with the dangers of peace, because it was never perfectly alive to the character of the war. But to return to the conduct of the war. Although it has been unsuccessful in securing those objects which I thought peculiarly at stake, I do not say that it was wrong; I do not say that the course I more approved, would have been more fortunate. If I think it would, it is, as it were, reasoning from symptoms after death, that another method might have succeeded. It is, however, a matter of judgment. Entertaining this opinion still, I conceive it to be the duty of every man to correct the public error. It is better to think that the country had not seen its situation in a proper light, than that aware of its real danger we had failed in the means of repelling it. Great as the exertions of the nation have been, they have not been so great as they ought to have been, compared either with the objects at stake, or the means we possessed. It is consolatory to think that the nation, not having seen the danger, will, seeing it, take the steps necessary to maintain its character, and to ensure its safety. It is true, indeed, that there were those who perpetually urged the French cause, and by every act endeavoured to counteract those feelings of honour, magnanimity and dependence by which nations can alone become great. If however the people of this country have utterly abandoned the feelings which every great nation should cultivate, and that policy without which no nation can flourish, we must have insensibly degenerated from the principles of our ancestors, and will confirm the remark of the writer, who says that sometimes a silent revolution takes place in the character of nations, as decisive as could be produced by the most violent convulsions. Never was there a war carried on with such an incessant cry for peace from the very beginning of it. How, in any other war, would it have been tolerated that the justice of our cause should be incessantly arraigned, and that of the enemy defended in newspapers and other publications; that every one who endeavoured to rouse the public spirit was vilified and abused? How could it have happened, if the people had been sufficiently impressed with the nature of the war, that it was doubtful whether the processions to St. Paul's to celebrate three of the most splendid victories this nation had ever gained, would have been received with applause? How else could it have happened that attempts should be made to deprecate one of our most brilliant naval victories, and to show that the advantage was on the side of the

the enemy? To prove these circumstances, I should be obliged to produce files of newspapers and pamphlets. But what do I infer? But that such writings never could have obtained circulation, had there not been an indecision in the public mind on the subject of the war. It is with reluctance that I acknowledge this state of the public mind to have prevailed. It certainly was not sufficiently awakened to a full sense of the nature of the danger that existed, or the extent of the exertion required. I am afraid that I shall be obliged to speak in a stile not more pleasing of the means and resources which we possessed. Perhaps we have been too much in the habit of flattering ourselves on this subject of the efforts we have made. Certainly nothing is more agreeable than to "praise the Athenians among the Athenians;" but, I rather consider it the duty of public men to speak wholesome truths. We must compare our exertions with the object. If the war was not originally just and necessary, every shilling spent was too much. If it was, as some have considered it, merely a war of experiment for a short time, to see what we could make of it, we have made too great sacrifices. If, however, it was a war for the very existence of the country, the exertions we have made have been too little for the object, too little even for our means. That our exertions, however, had not injured us, would appear by considering whether the country has pined or thriven, whether it has become fat or lean, by its efforts. Surely if, as some pretended, the country has been ruined by the war, it has not been thrown into a galloping consumption. I have, indeed, heard it argued, in the true spirit of Jacobinism, that though individuals were rich, the country was poor; every distress incident to men and to the social state has been insidiously represented, to be the offspring of war, as if the same distress did not exist in all wars, nay, in all times; as if it were not obvious that poverty must ever accompany great wealth; as if poverty were not a sort of secretion from the plethoric habit of wealth. Indeed it is easy to show how commercial wealth and poverty must be connected; because, in the fluctuations of trade and manufactures, numbers are occasionally deprived of their usual employment in one place; while the tide of prosperity rises higher in another. No less absurd is it to say, that the wealth with which the country abounds is in few hands, as if it were possible that a country could have much wealth while it was monopolized by a few. Unhappily, indeed, it seems to be thought by some, who acknowledge both the wealth and

and comfort this country enjoys, that these blessings may be preserved without the aid of arms. The balance of power is treated as an idle chimera, and we are told that from our insular situation we may look with indifference on the confusion and derangement of the continent. It is very well indeed to tell us to preserve our own comforts; it reminds me of what a King of England said, when he was told that his subjects were dying of famine;—"why," observed he, do they not eat bread and cheese?" They could not get bread and cheese to eat. So we are told to be satisfied with our own comforts and happiness, with our commerce, with our prosperity; doubtless preserve them, but will the French allow us? Do we not see that France is acting upon a contest with us in peace, that she is lowering our dignity, plucking our honours? Has she not plucked the cockades from our soldiers' hats in Portugal? Has she not made us give up to Holland the honour of the flag hitherto so carefully preserved? Has she not loaded us with insult on insult ever since the preliminaries? Did not the French Government, without communication, proceed to carry into effect the transactions of the Consulta at Lyons respecting the Cisalpine Republic, of itself a sufficient ground of war, leaving the British ambassador to kick his heels in an antichamber at Amiens; and was not this intended to form a precedent to exclude us in future against any plan of encroachment France might attempt on the continent? Such is our situation, pursued by a power that gives no repose! Seeing these things, I cannot but consider our security less since the peace, than it was during the war; and that on the 30th of September, the fee-simple of England was worth more than it will be again for many years. But in pointing out these grounds of alarm, I am far from thinking that we ought to swerve from the peace. The band is signed, and we must perform the conditions faithfully, though, as Dogberry says, "I fear we shall never be our own man again." It would be impossible after the changes that have taken place, to go to war again with advantage, were such a step not forbidden by every consideration of honour and good truth. It is fit, however, while we still had the means in our power, to strengthen and consolidate the peace, by removing all grounds of dispute and dissension. We had every reason to be on our guard against the French. It is absurd to suppose, that they would be induced to form new pretensions in India, in consequence of late discussions. Their expedition to Egypt; their obtaining possession

possession for the Dutch of Cochin and the Cape, disclosed their views: 14; however, as is said, the French entertain no hostile and ill-founded pretensions; it will be the more easy by amicable communications to anticipate all grounds of difference. Mr. Windham then went on to state, it was not fair to infer, that because predictions respecting the evil of political measures were not immediately felt, they were ill-founded. The predictions of ill from the loss of America, had been partly fulfilled. What assistance might we not have had from America in this contest? Of what aids received from America might not France have been deprived? It was common for people of the present day to run their lives against that of the State; and to say it would last their time; but they might find themselves mistaken. They thought that a great country would be a long time in dying, and that it would continue to give heat and nourishment to the creatures crawling on its surface. These sentiments, as they were mean and dastardly, might prove to be ill-founded. We had seen how, without any new conclusion, Spain had sunk under France. Such might be the fate of this country, if its spirit was not maintained. He concluded with moving a long address to his Majesty, in substance the same as that moved by Lord Grenville in the House of Lords.

Lord *Falkstone* rose to second the motion. He had no hopes, he said, of being able to add any thing to the very able statement of his right honourable Friend. He merely wished to shew that he shared in all his apprehensions for the safety of the country. As far as treaties could do it, our flag had been degraded and disgraced. It was impossible for any one to approve of this treaty who had ever read of our naval victories with pleasure, or who had a drop of British blood in his veins. The treaty confirmed Jacobin power, and was built on Jacobin principles. We pretended to interfere with the Government of an independent State, and the regulations we introduced were of the most democratical nature. No one could approve of the treaty who thought that faith was to be kept with allies! Portugal we had abandoned to spoliation, and in our treatment of the Prince of Orange we had added insult to injury. We constantly talked of our commercial advantages, but when France had got the absolute command of the Mediterranean, and of the American seas, by what tenure did we hold these advantages?—He saw nothing for the country but dishonour, degradation and ruin.

The question being put from the chair,

Lord *Hawkebury* then rose : he said, that he had listened with great attention to his right honourable Friend's speech ; he owned that it was throughout ingenious, but not always to the point ; and therefore it could not be expected his answer should follow him through all the digressions he had made from the subject. For his own part, he assured the right honourable Gentleman, that if he had thought there was any thing in the treaty dishonourable to this country or detrimental to its interests, he should have been the foremost to lift up his voice against it ; but convinced as he was that instead of being dishonourable or prejudicial, it was advantageous and glorious to this country, he found himself called upon to oppose the present address. He did not mean to defend the peace on the ground that we could not have better terms ; but he was to defend the peace as being honourable, wise, and expedient. He was happy that the whole subject had been now brought at once before the House ; and he was also happy that the ingenuity of his honourable Friend had been able to find no other objection to it, than that which applied equally to all treaties, that one point had been given up in order to maintain another. Before, however, proceeding to a particular consideration of the objections advanced against the treaty, it would be proper previously to consider the circumstances that led to it. Immediately upon the present Ministry accepting their offices, they heard of a great battle lost by our ally the Emperor, which was quickly followed by the treaty of Lunéville, and the ratification of that treaty by the Germanic Empire. The state of Europe, with regard to Great Britain, was now changed. Instead of a great confederacy under her influence, directed against France, a formidable confederacy was now formed, under the direction of France, against this country. At that period, almost every man in the country thought it expedient to open negotiations for peace. Peace was called for alike by all ranks and all parties. Under these circumstances, Ministers, after some previous preparation for enforcing our claims, and after sending a fleet to the Baltic, opened negotiations with the French Government. But in such circumstances, was it to be expected that by any treaty of peace we should be able to settle the disorders of the Continent, after the treaty of Lunéville had been signed and ratified by the Germanic Body ? It was enough at that time for Great Britain to take care of her own interests and those of her allies, with-

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out attempting to fix a political system for Europe. The objects which we could hope, or then wish to obtain by treaty, were, first, the complete integrity of the British Empire in all its parts; second, to maintain good faith towards our allies; third, to retain out of the conquests we had made, an equivalent for the accessions of territory acquired by France. At the time when we opened the negotiations, it was not likely that we could procure such conditions; but the naval victories of Copenhagen and the Nile, which then took place, opened a new prospect of obtaining these advantages. As the preliminary treaty which followed had been already approved by the House, he did not mean to enter into its merits at present. He only wished to shew what the circumstances were which led to the present treaty; a treaty, which, as it secured the integrity of Great Britain, obtained better conditions than could have been expected for her allies, and had besides acquired her two most important possessions in the East and West Indies, could not be considered as less than honourable. In the eyes of his right honourable Friend, however, it would not appear so, and if his views were allowed to be right, no terms, however advantageous, could be justified, if they were concluded with the present Government of France. Lord Hawkesbury then proceeded to divide the subject into two heads: And first, he was to consider how far the Government, after having concluded the preliminaries, ought to have been induced by the circumstances which have occurred since that time, to have refused to conclude the definitive treaty on the basis proposed. He said he had no difficulty in owning that he regretted several things which had intervened, not so much on account of their intrinsic importance, as the spirit they manifested in the French Government. But we must consider how far they are consistent with the principles on which the preliminary treaty was concluded, and how far they would have justified our breaking off the negotiations for peace. What his honourable Friend had advanced, went to say, that when any continental power, however unconnected with us, became involved with France, we must step forward to its assistance, whether it wished for such interference or not. For his own part, he did not, as some did, think we ought to remain as isolated in our politics as we were in our situation; he thought we should consider ourselves deeply concerned in the policy of the Continent; but he thought our interference with its quarrels was to be considered as a matter of choice, not of necessity,

necessity, not of a point of honour. We must take into consideration, whether such interference be consistent with our external or internal interests; more especially at present, after being exhausted by a nine years war, deserted by all our allies, and forced at last to negotiate a separate peace. In such a state, there surely could be no obligation on us to give up our own immediate interests for the remote advantages of others. If we advert to what has been said with regard to Italy; if it was not expedient for us to continue the war on account of Holland and the Netherlands; much less can it be expedient to continue it on account of Italy. But it may be said, that circumstances may so concur as to render a smaller object of more importance than a greater. But is this the case at present? The first intimation which his Majesty's Ministers received of the new Constitution of the Italian Republic, was immediately followed by accounts of the congratulations of the Court of Berlin, the acquiescence of that of Vienna, and the assurances of Russia, that she would not intermeddle in the arrangement. Under these circumstances, would any one say, that it was justifiable to continue the war on account of the new constitution of the Italian Republic? Another subject insisted upon was the cession of Louisiana by Spain to France. This event could not indeed be viewed with indifference, but it was to be considered how it could justify our refusing to continue the negotiation for peace. It had originally been a French colony, and the Mississippi was then the boundary between it and Great Britain. It had been ceded in a private convention to Spain by France between the preliminaries and the definitive treaty in 1763. This shewed, that such transactions, though not to be approved, were not now first heard of. Louisiana had even been mentioned in the preliminaries to that treaty, which it had not been in the present. It was then to be considered, if Louisiana, thus voluntarily ceded, and thus originally situated, was an object which called for a continuation of the war. If we consider its value, it is at present almost nothing. But it may be said, what may not the industry of the French effect? When it was formerly in the possession of the French, they were able to make nothing of it, while they rendered their other West Indian possessions of infinite value. As a naval station, the best informed represent it to be of no consequence. With regard to the political effects predicted from its cession, in laying open America to the influence of France, it must be observed, that it

has hitherto been the policy of America to maintain an even balance of power in that quarter of the globe between Great Britain and France. America must, by the cession of Louisiana, consider this balance as destroyed, and of consequence become more jealous of France, and more attached to Great Britain than ever. Some imagined that this new possession of the French might endanger the safety of America; but when we recollected her efforts in 1756, when alone and unsupported, we could not surely fear much for her safety in her present state of power and resources. All these circumstances considered, the House might judge if it was expedient to continue the war on account of the cession of Louisiana by Spain to France. The noble Lord then proceeded in the second place to consider whether the definitive treaty had been settled on the basis of the preliminary treaty, and whether it was such as in consequence of the preliminary treaty the country had a right to expect. He allowed that there were many things which might justly be expected to be arranged in a definitive treaty, though wholly omitted in the preliminary. Two faults might therefore be imputed to a definitive treaty, those of omission and commission. Of the first, the chief one objected to in the present definitive treaty was the non-renewal of treaties, political and commercial, and particular conventions.

With regard to political treaties, the principle on which these had been renewed by former treaties did not appear to be well understood. By the treaty of Westphalia, Europe had been placed in a different state from what it had previously been, and therefore, in order to ascertain the relative situations of the several powers, it had been customary to renew that treaty, and also any particular conventions subsequent to it. Many arguments might be advanced for this general renewal of treaties, but many might also be advanced against it. In the first place, by renewing many doubtful engagements, and consequently increasing the occasions of dispute, it destroyed the sanctity of treaties, and by bringing them into disrepute, diminished the obligation to fulfil them. The renewal of former treaties was, in another point of view, more disadvantageous to Great Britain than to any other nation, because we adhere more religiously to our engagements, and therefore should be more cautious in considering what we enter into. Yet putting these considerations out of the question, there were many of the stipulations, the utility of retaining which might be questioned from

from the change of circumstances. Some, indeed, might be advantageous; but it was necessary to consider whether these would overbalance those of an opposite nature. It was to be considered, that formerly all preceding treaties had been renewed by the other powers of Europe as well as by us; but in the present war, no other European power had done so. If under these circumstances we renewed former treaties, we should alone be bound by former treaties, while the other nations were free. The manner in which former treaties had usually been renewed, was to renew such treaties generally, and then follow up this renewal by particular exceptions. If we follow this rule on the present occasion, what would be the consequence? We should first have guaranteed the integrity of the Germanic Empire, and then have been obliged to guarantee to France all the conquests she had made on that empire. The same would have happened with regard to Sardinia and Holland. We could not have avoided this; we had formerly guaranteed the integrity of the Germanic Empire, and yet in the same treaty guaranteed Silesia to Prussia. In the same manner, a renewal of former treaties would have forced us to give our sanction to all the encroachments of France. Would it have been consistent with the interests, the feelings of this country, thus to have confirmed the aggrandisement of our rival? We have it now in our power to say, at least, that if we have not been able to set Europe to rights, we have not contributed to its confusion; if we have not been able to prevent encroachments, we have not sanctioned them. But it must further be considered, that by a renewal of treaties, and the necessary exceptions, we should not only have confirmed what we knew and understood, but what was yet not settled or defined. By sanctioning the treaty of Luneville, we should have made ourselves a party to the dismemberment of the Germanic Empire, yet to take place in consequence of that treaty. With regard to commercial treaties, it was impossible, in the present circumstances, to renew them, without renewing stipulations respecting rights of neutrality and personal privileges extremely disadvantageous to us. Even if commercial treaties were deemed beneficial, so many things were to be adjusted, that it was more proper to refer the matter to future discussion, than delay the definitive treaty till all matters could be arranged, as this delay had already occasioned much inconvenience. With regard to the benefit expected from commercial treaties, it might be observed that our trade to the conti-

ment of Europe during the war, had been as flourishing as while these treaties were in force. The prohibition of our manufactures could still less be carried into effect in peace than in war, and therefore our commerce in spite of them must be extended. If we were driven to a war of duties, the advantage was plainly on our side. The exclusion of French wines and brandy by us would be a more severe loss to France than the exclusion of our manufactures by her; because we had many other markets to resort to, but we were her only merchants for these commodities. With regard to the separate conventions to be renewed, the two principally alluded to were those relative to the East India trade, and that relating to the cutting of logwood in the Bay of Honduras; to which he should add, that with regard to the flag, which had been most grossly mistaken. So much had the preceding night been said with regard to the East India trade, that it was unnecessary for him to dwell on that subject. He should observe, however, that though our rights in the East Indies had been originally the same with those of France, yet by conquests, and other events, we had become sovereigns of that country. France had acknowledged us to be so, by receiving from us a right to trade, and stipulations regulating their commerce, in the treaty of 1783. This sovereignty was not in consequence of any stipulation with France, but acknowledged by her as the foundation of stipulations. It therefore remained now to us as perfect as ever. The convention of 1787, was certainly wise and proper at the time, in removing the causes of quarrel which had arisen from the treaty of 1783; but circumstances had so changed, that the objectionable points in it greatly preponderated over those which were proper to be renewed. With regard to cutting logwood in the bay of Honduras, we remained in the same situation as before the war. Complete occupancy had formerly been conceded to us in consequence of specific sacrifices. We did not then hold it as subject to Spain and secured by particular conventions. We held it of right, and the definitive treaty had nowise done that right away, it remained to us on the same footing as heretofore. But above all other things, what regarded our flag had been completely misunderstood. This country has for centuries claimed a right to the sovereignty of the seas, and from this sovereignty arose the demand that other nations should lower their flag to us. This sovereignty inferred a claim with regard to all other nations as well as Holland; but a particular stipulation with regard

to the acknowledgment of it by the latter nation, was introduced into one of our treaties with her, in consequence of the preceding war having arisen from an attempt on her part to dispute it. This particular stipulation had never been introduced into any treaty with France or Spain; from whence is followed, that by renewing such a stipulation with regard to Holland, we virtually announced it with regard to these powers. Was it not therefore better to retain our former rights in their full vigour, than to call them in question, by stipulations for their acknowledgment by a particular and a weak power? The next question to be considered was, How far the definitive treaty agreed with the preliminary articles of peace? His right honourable Friend had divided this part of the subject into five heads: the first related to prisoners of war. This point had been left to be settled by the definitive treaty, according to the law of nations, and in the regulations which had been adopted, that principle had been completely adhered to. The principle of each country maintaining its own prisoners was first introduced in the treaty of 1763, and it certainly was conformable to the opinion of the best writers on the law of nations and the wisest men. It was, however, in some degree resisted upon this occasion on the part of France, for she proposed to extend it to allies in general, a proposition which was not acceded to on the part of this country. France then proposed to extend this principle to such troops as had been, during the war, in the pay and at the disposal of Great Britain. To this proposition we could not refuse to agree—and if France had no such troops to provide for in return, we could not object to let it go to the account of her prisoners of war. The next subject was the situation of Portugal. The limits of her territories were arranged in the definitive treaty, according to the stipulations of the preliminaries. It had been contended, that we had not kept our faith with Portugal; but there appeared to him not the slightest foundation for such an assertion. In consequence of the state of the war, it became necessary to send a large force to Egypt, and the wisdom of that measure had, he believed, never been called in question. His Majesty's Ministers upon that occasion judged, and in his opinion judged wisely, that it would be better to send the whole of our force to Egypt, rather than to divide it, and to send part to Egypt and to keep part in Portugal, by which means both our objects might be defeated. But the consequence of our sending so large a force to Egypt, rendered

rendered it impossible that we could leave a sufficient number of men for the defence of Portugal. In the treaty of peace which that country concluded for herself, perhaps her government was not free from every degree of blame. When he had the honour of being appointed one of his Majesty's confidential Ministers, he had occasion to communicate with the Government of that country, in which he offered some advice upon the proper means to be adopted for the defence of that country. One part of that advice he thought it necessary to state, though he felt it extremely unpleasant to make any observations that reflected upon any individual—but the advice was, that the command of the Portuguese army should be given to some able and active officer. The person who had the command of the Portuguese army was, he had no doubt, disqualified by his great age, from those exertions which such a service required; but in point of fact, it was the opinion of the most experienced officers of the British army, that he was not capable of making those dispositions and exertions which the defence of that country required. If the advice of the British Government had been complied with, other means were in agitation which might have been effectual in checking the progress of the French and Spanish army. This advice was not, however, adopted by the Portuguese Government; they stated, that if Great Britain would furnish an army of 25000 men, she might appoint a general; but otherwise the command could not be taken from the person who then commanded the Portuguese army, and, circumstanced as we then were, we could not spare so large a body of forces. Afterwards, when the French and Spanish armies had advanced into Portugal, we released her from all her obligations to this country, and even advanced her a subsidy to enable her to treat on better terms. After this we were not bound in honour to go further: we were not bound to get back her possessions for her, yet this country had done it, and we had done that for her in this treaty, which he believed was never done by any other country for an ally under such circumstances. His Lordship then proceeded to state the advantages gained by Portugal by our stipulations in her favour, respecting her boundaries in America, over those which she stipulated for herself—advantages of which, he said, the Portuguese Government were perfectly sensible. But, at all events, there was no departure in the definitive treaty, as far as related to this subject, from the basis established in the *præliminaries*. The next point which
his

his right honourable Friend had referred to, was Newfoundland; and upon this subject he had only to observe, that every thing was left as it was before the war. With regard to the Cape of Good Hope, the only difference between the preliminary and definitive treaty, was one, which, in the opinion of those who were best informed upon the subject, was advantageous to this country. As to Malta, the only question to be considered was, whether the arrangement which had been made, was, under all the circumstances of the case as good as could be expected. When we took possession of that island, we declared our intention to restore it to the Order, and to procure for the inhabitants some advantages which their conduct fully entitled them to. It was at one time intended to have placed that island under the protection of Russia; but the ill-judged measures adopted by the Government of that country, rendered such a measure impossible. After what had been said in the preliminaries, there could be no doubt, that it was intended to restore the sovereignty of the island to the Order; but the manner was objected to, and in particular, it had been said, that the Order of Nobility had been disgraced by the introduction of a Maltese *Langue*: but surely, such an advantage was due to the conduct of the inhabitants of that island, who, previous to the landing of the British troops, had, under the direction of a British officer, carried on a spirited and successful warfare against the French. And, as it was the opinion of officers, well qualified to judge upon the subject, that the inhabitants of that island were themselves sufficient for its defence, the propriety of the measure which had been adopted, could not, under all the circumstances, be thought, be doubted. With regard to the power under whose protection Malta was placed, it had been offered to the Emperor of Russia, but from a change of the politics of that cabinet, it was refused; his Imperial Majesty offered to guarantee the independence of that Island, provided it was placed under the protection of Naples. He was sorry, that from the situation in which the King of Naples stood, he was not so powerful a protector as could be wished; but the whole of that monarch's conduct during the war, was such, as to entitle him to the fullest confidence. He had, besides the strongest motives of interest, to induce him to protect the independence of Malta, from its contiguity to that which must be considered as the most valuable part of his dominions, the island of Sicily. But notwithstanding all this, the independence of Malta might still be considered as

as insecure, if it was not also guaranteed by Austria, a power, which next to Naples was the most interested in its independence. Having disposed of these points, his Lordship then proceeded to take a general view of the question: with regard to what had been said of the naval force of this country, he wished to join issue with the honourable Gentleman on the other side. He was ready to contend that no peace we had ever made had (all things considered) left this country in so good a naval condition, compared with France, as the one we had just concluded. If the situation of Europe had been different, undoubtedly a different peace might have been concluded; but if the continent of Europe was in an unfortunate situation, we had at least the satisfaction of knowing that no blame was attributable to us, no exertion on our side was wanting. But the question now was, whether by the peace we were not placed in such a situation, that we should be fully equal to meet France if the contest were renewed; and whether it was not wise for us to make peace with our strength, resources, and spirit unexhausted, rather than continue the contest to the last extremity, without any prospect of advantage to compensate for the loss we must sustain? There was one subject which Gentlemen seemed studiously to have laid out of their consideration, when they spoke of the great advantages that France would derive from the acquisition of Louisiana, and that was, the immense benefit that would accrue to this country from our having obtained the possession of the Mysore, and by the destruction of a power in India who was the natural ally of France, and the inveterate enemy of Great Britain. If we had obtained great acquisitions in the East, our power in the West Indies had also greatly increased, our ancient colonies had been rendered one-third more valuable than they had been before the war, and we had besides acquired the extensive and fertile island of Trinidad, which possessed one of the best naval situations in the West Indies. Compare this with the situation of the French in that quarter; look at the situation of St. Domingo, that colony from which France had formerly derived such immense advantages. Supposing the present contest should determine in the most favourable manner for France, a long time must elapse before that island could be again rendered profitable to the mother country. The navy of France had, during the present war, been reduced above one half, and she had scarcely a merchant ship upon the ocean. France had a commerce to create as the foundation of her future

future navy, while on the other hand, the sources of the English naval power remained unimpaired. The sources of the naval power of England were her coasting trade, the East country trade, our fisheries, the West India trade, and the North American trade, the East Indian trade, and the Mediterranean and Levant trade; compared with this, France had but little coasting trade, and her West Indian and Mediterranean trade was much inferior to ours; to the other places she had no trade at all, or at least none that deserved notice. It was true, he said, that France had acquired a great extent of power and territory; but she was without resources to feed and support them; while Great Britain, with a solid capital, even stood in need of more territory to employ it on. The very extent of her dominions rendered France weak. It had been asked what security we had that this peace would be lasting? He with sorrow confessed, that in the present state of the world, any peace was extremely insecure. But this insecurity was no reason for our not concluding a treaty, when we could do so on honourable terms. The noble Lord then shewed, by instances deduced from a variety of preceding treaties, that it was proper to follow up this principle. It was proper to make security a consideration, but it was necessary to prove that by continuing the war, we could have obtained better security. With regard to the Government with which we had to treat, France was now gradually laying aside her revolutionary principles, and returning to the old maxims of politics and religion. It was impossible, after the preceding convulsions, that she could as yet have a good Government, but the current was running that way. A renewal of the war, would, in some measure, unavoidably replunge her into revolutionary measures: but this respected only her internal Government. With regard to foreign policy, we had as much to dread from her under the Bourbons as under the present Government. Had she remained in her former state, the world might have experienced fewer convulsions; but under all Governments her ambitious views would be the same. We had now emerged from a dangerous war, with our resources, our credit unimpaired. It was improper to waste them. It was still more improper to waste the spirit of the country. That there was a danger of doing so was evident. He was a friend to the preliminaries, and rejoiced at their being signed; but there had appeared a spirit of exultation in this country on that event, which he should have been sorry to see on the

conclusion of any peace. This exultation might, in some degree, be attributed to the relief which the people expected from taxation; but this could influence them only in a small degree; the great cause was, that the people were worn out by the war, and their spirits required to be cherished by peace. After having thus shewn that our empire had been preserved entire, its interests attended to, our allies not neglected, and not one degrading or dishonourable article admitted into the present definitive treaty, the noble Lord thought himself justified when he concluded with the following motion:—"That an humble address be presented to his Majesty, to return his Majesty the thanks of the House for having been graciously pleased to communicate to them the definitive treaty of peace, to represent to his Majesty, that we have already declared our full approbation of the preliminary articles of peace, which, by his Majesty's command, were laid before this House; and we are satisfied that his Majesty has, on the whole, wisely consulted the interests of his people in having concluded a definitive treaty, founded on the basis of these preliminaries. That although we deeply lament the calamitous events which have taken place on the continent of Europe in the course of the war, we cannot reflect but with the utmost satisfaction, that the wild and destructive designs with which this country was threatened at its commencement, have been effectually frustrated. That his Majesty's dominions have not only been preserved entire, but valuable and important acquisitions have been annexed to them; that our commercial and maritime superiority have been maintained and improved, and that we continue in the confirmed possession of those means of exertion which the experience of the late contest has proved more than ever, to be equal, even amidst the new and unexampled difficulties of other nations of Europe, to maintain the independence and assert the honour of this country; that impressed with these sentiments, we are on our parts, earnestly solicitous to cultivate and improve the blessings of peace, and to concur in such measures as his Majesty, in his wisdom, shall judge to be best calculated to prevent occasions of misunderstanding with foreign powers;—that we rely on his Majesty's known disposition to adhere with the most scrupulous fidelity to his engagements; but that we entertain at the same time a perfect confidence, that his Majesty will not fail to employ that vigilance and attention which the present situation of Europe demands; and above all, that his Majesty

jeſty will uniformly determine and prepare to defend againſt every encroachment, the great ſources of the wealth, commerce, and naval power of the empire. That we are fully perſuaded, his Maſteſty's faithful ſubjects will at all times be ready to ſupport the honour of his Maſteſty's Crown, and the rights, laws, and liberties of their country, with the ſame zeal, energy, and fortitude which they have conſtantly maniſteſted during the war, now happily brought to a concluſion."

Mr. Pole Wellesley ſeconded the motion in a ſpeech of conſiderable length, in which he corroborated and illuſtrated the arguments of the noble Lord who preceded him.

Mr. T. Grenville roſe to make a few obſervations on the reply of the noble Lord to the ſpeech of his right honourable Friend; but he muſt firſt complain of the manner in which the reaſonings of his right honourable Friend have been miſunderſtood or exaggerated. The noble Lord ſeemed to reſt the whole of his defence on the merits of the definitive treaty, yet at the concluſion of his ſpeech he entered into a juſtification of it, and owned that the people were worn out by the war, and that they clamoured for peace. In this he was not prepared to acquieſce. For the ſpirit of the people was more alive to their liberty and independence even in the lateſt period of the war, and they continued to think it neceſſary up to the very ſigning of the preliminaries; he could not therefore bear it ſaid that their patience was worn out by the conteſt. When he looked to the whole of the treaty and to the effects it was likely to produce, he ſhould take for his text one which the noble Lord had emphatically dwelt upon, viz. do not let your enemy do in peace what they were not able to do in war. What they were prepared to do he ſhould not now pretend to anticipate; but if they did ſucceed in doing in peace what they were not able to do in war, it is becauſe the peace has given them advantages which a further proſecution of the conteſt might have deprived them of. That they have obtained theſe advantages he was ready to contend. The honourable Gentleman then proceeded to ſhew what a number of material circumſtances had taken place between the ſigning of the preliminaries and the concluſion of the definitive treaty. The Firſt Conſul declared himſelf head of the Italian Republic, Louiſiana was ceded to France, &c. but the noble Lord ſays, would you, in conſequence of theſe circumſtances, again renew the war? He ſhould not ſay that war was the only alternative; but could

no scale of equality have been preserved? If, after the acquisition of Belgium to France was acquiesced in; if, after the new establishment of her boundaries had been agreed upon, France usurps Italy and stretches her dominion in every part of the world, you make no resistance and only say, would you go to war to preserve it? he would ask; where would you stop her progress? Instead of arming against these encroachments, are we to lay down under that loss, and even make it a reason why we should submit to much greater losses? Respecting the cession of Louisiana and the consequences it might lead to, the House were left greatly in the dark. If Ministers knew of, and concealed them from the House when the subject came under discussion, he would only say that they concealed that upon which the House might have formed a better judgment of the increased power of France; if they did not know it they certainly betrayed great ignorance of what they should have been acquainted with. Would Ministers inform the House whether France was or was not in possession of Florida also? That she was actually in possession of Florida he was not prepared to say; but it was nearly the same thing, as the possession of Louisiana must give her a command and influence over Florida. Why was not this circumstance clearly stated to the House? As to the non-renewal of former treaties which the noble Lord had judged to be a practice dangerous, doubtful, and insecure, he would only say, that this was a discovery of the noble Lord, for there has scarcely ever before occurred any deviation from the practice. The honourable Gentleman next adverted to the usurpation of the Italian Republic by Bonaparte, and to his mysterious proceedings at Lyons, and contended that he chose that moment for effecting these ambitious designs in order to make us parties in them, which he effectually has done by bringing us to sign a definitive treaty of peace with the president of the Italian Republic. On the effect of the treaty on our possessions in India he should not expatiate. He would not say that we were likely to lose our rights in that quarter, but he might ask, would the enemy now recognise them? On this point much information was wanting, but Ministers seemed determined to withhold it by refusing the papers from which it might be derived. Our right to cut logwood in the Bay of Honduras might now likewise be disputed, for it surely was not now the same as it stood previous to the late treaty. On the relinquishment of the honour usually paid to our flag by Holland, and on the disgraceful manner

ner in which we neglected or abandoned the interests of the House of Orange, the honourable Gentleman made several pointed and severe remarks. The right honourable Gentleman went on to animadvert on the article by which the payment of the debt due for the maintenance of prisoners is regulated. The House were told that the Russian troops being not merely under our pay, but subject to our control, they ought to be considered in the same light as the native troops of this country. But was this really the fact? It certainly was not. The Russian troops, who were fed, clothed, and arrayed at our expence, were so far from being destined to the service of this country, that they were to be employed to act offensively against us. The French Government had succeeded in detaching the Emperor of Russia from our friendship; and this was the boon which they presented to gratify their capricious ally. On the subject of the article respecting Portugal, the noble Lord had said that there was no deviation from the preliminaries of Peace, by which the integrity of her territories is secured. Yes—this integrity had been a ground of stipulation, but of what description was the integrity which was secured? Was it integrity of possessions as they existed antecedent to the war? No; said the noble Lord, but Portugal had obtained an integrity of possession which, when the matter came to be investigated, turned out to be a mere definition of limits. He would not entertain the House by entering into any geographical statements; but he could not avoid making one remark with regard to these limits. The noble Lord talked of a distance of fifty miles established by the new limits which had been fixed from the river of the Amazons. How such a distance could exist he was quite at a loss to conceive, when he reflected that the Arawari flowed into that very river. While he was on this subject, he wished to say a few words on the obligations of this country to procure for Portugal, not an integrity of the kind now described, but integrity of a substantial kind. He was not disposed to question the policy of the late Administration, in preferring the expedition to Egypt to the defence of Portugal. But what was the inference to be drawn from this arrangement? It was, that if we did not grant an old and faithful ally assistance, in a moment of difficulty and danger, we were bound by every consideration of public faith, to take care that her interests should not suffer from our preferring other objects to that of affording her protection against an enemy who had attacked her independence. This was the conduct which good faith clearly dictated, and he was amazed

ed to hear the language of the noble Lord in justification of the vague provision which the definitive treaty had made to secure this object. What was the natural effect of even a dereliction of the interests, of our ally? It was to estrange Portugal from our interests and to create a spirit of hostility to a power by whom her interests had been so grossly neglected. On the article relative to the Cape, he had only one observation to make, and that was, that by the arrangement which had been agreed upon, the Dutch might make it a free port, and thus we might lose all the advantages of the arrangement, if previously established by the treaty. He next touched on Malta, the regulations respecting which he censured in very severe terms. In the preliminaries, Malta was made independent, but it now appeared that this declaration of independence had been made while Ministers were ignorant of the arrangements by which this independence was fixed. The order was to be restored; but how was the restoration of an order to be effected, all whose funds were lost, gone, and dispersed? From an average of ten years, previous to 1798, it appeared that 130,000*l.* constituted the whole annual revenue. To the three French langues 58,000*l.* formerly belonged, the whole of which was confiscated. The whole of the revenues of the Spanish langue consisted of 27,000*l.* and this sum was also confiscated, or if the appropriation had not already taken place, it was likely to do so at no very remote period. After estimating other losses in Germany, Poland, and Bavaria, the total of the provinces left did not much exceed 23,000*l.* a year, and this was the sum allotted for the support of the order to be restored. What, on the other hand, was the amount of the expence annually incurred on an average of ten years? It was not less than 130,000*l.* to cover which the sum he had just stated was allotted. So much he thought it proper to state respecting the funds then existing for the support of the order. The island was declared to be independent, under the protection of a third power. He might first of all be permitted to ask, was the King of Naples, by whom this protection was to be afforded, himself independent? Was he not, on the contrary, totally dependant on the power of France? To remedy this defect, however, and to secure this independence, the House were called upon to consider the powerful guarantees which had been established. On a former occasion the noble Lord had stated, that the accession of some of these powers to this arrangement, had not been received. But admitting that they would accede, what was the consequence? France was the guaranteeing

guaranteeing power nearest in situation to the island, whose dependence was to be secured. From the new constitution given to the order, and the establishment of a new language, tumults and broils might arise in the island. France, as an amicable guaranteeing power, might immediately interfere; a squadron might sail from Toulon, and take possession of the island before the design was suspected; and it was not easy to say, what new changes would be introduced before these troubles were quelled. Having gone through and illustrated these various points with great acuteness, the right honourable Gentleman concluded by saying a few words with a more particular reference to the address, which had his cordial approbation.

Mr. Dundas said, he took this opportunity of noticing what had been said by the right hon. Gentleman who had just sat down, with reference to what he, (Mr. Dundas) had said the preceding night, and who had pursued what he said a good while, and made some observations upon it; but he had mis-conceived, for he had misrepresented what he said. He had charged him with saying, that if the treaty referred to in the motion was considered, it would not be equal to one field-piece. He said no such thing. He did not allude to a treaty when he made use of the observation alluded to. He said that if the papers moved for by the learned Gentleman, not alluding to any treaty, were laid upon the table, every one of them, they would have no effect whatever to remove the doubts of Frenchmen on the subject to which they related; and it was in reference to these papers he had said that one field-piece would settle the business of them in a moment. The right honourable Gentleman had alledged that he (Mr. Dundas) had applied his observations to the convention of 1787, as containing evil provisions which we ought not to renew. He had done no such thing. His argument was this, and he begged leave now to repeat it, that the merit of the convention of 1787 depended solely upon this, that it applied as an antidote to the poison of the treaty of 1783: the meaning of which was, that the convention of 1787 had the merit of counteracting the treaty of 1783; but he had not said that either the one or the other of them was the foundation of the prosperity of India. He thought it necessary to explain this, which seemed to have been misconstrued by the right honourable Gentleman; but this was not the main purpose for which he rose that night to ask the attention of the House. He rose to make an observation or two, which were

were very material. The honourable Gentleman had put it to him, how he reconciled his conduct in assenting to the negotiation at Lisse, by which the provisions of the convention of 1787 were stipulated to be assented to on our part? His answer to this was a very short and a very plain one, and he hoped it would be a very satisfactory one. It was this: that since the year 1797, the condition of this country in India was changed most materially, and that which might have been offered in 1797, and was offered in 1797, might have been, and would have been improper on our part in 1802, because our situation in India had been most materially changed in that time. In 1797 we had not, what we now possessed, namely, the undoubted sovereignty of India, and therefore; whatever opinion he had in 1797, he was perfectly warranted in changing that opinion in the present instance; for in one case, we were warranted in demanding more than in the other, and he was only desirous of availing ourselves of the advantage which we now possessed. In 1797 we had no such advantage; there was, therefore, no real difference in his conduct; in both instances he had been desirous that this country should have the best possible terms of security for its tranquillity in India. Did the right honourable Gentleman mean to make it matter of reproach to him, that he had changed his opinion as to our situation in India upon a change of circumstances there? Did he mean to say, that although he could discover a material change of circumstances in our situation, yet there was to be no change in his opinion as to the conduct which we were to pursue? Did he mean to urge it as a fault in him that he had, upon an attentive perusal of documents from 1763 down to the present period, become of opinion that our sovereignty in India is now entire, and as he was of the opinion, that we were better off in this respect by not renewing any treaty than if we had renewed any of them, that he should endeavour to impress that opinion on the House? He believed that the noble person who had been alluded to (Lord Grenville), stated an opinion much as he had done, on the ground of our sovereignty in India, and that he had changed the opinion he had first entertained on this subject. This he learnt from the common vehicles by which the opinions of public men were conveyed to the public. But he would leave this part of the question, and take the liberty of saying a few words with regard to the question now before the House. When he heard of the signature of the preliminaries of peace, he was at a distant part of this island;

island; he had no hesitation in saying, that when he heard of the manner in which the Cape of Good Hope was to be disposed of, he heard it with regret and sorrow. He had always considered that place as a great acquisition to this country. He was of that opinion in theory before we had it; he was confirmed in that opinion by experience of the use of it since it was in our possession. He looked upon it as a good depôt, and a place for the reception of our troops, when we had occasion to send them to India: by their being landed and refreshed there, they went to India full of health and vigour, and were in every respect fit for immediate service. It helped us in the course of our immense fleets in their way to India. These were advantages we had experienced. He looked upon the Cape and Ceylon as our two great bulwarks in his mind, and at no period of his life had he been of another opinion on this subject. No connection, however close—no friendship, however cordial—no attachment, however sincere, should induce him not to give his opinion upon this subject. That opinion was, that the Cape of Good Hope should not have been given up by this country, and he was ready to confess, however unwelcome it might be in that House, or unpopular in the country, had he been in Administration, nothing should induce him to be a party in agreeing to a peace upon any terms by which this country was to abandon the Cape of Good Hope. He felt this sentiment still the more strongly on account of the connection that was now established between France and Batavia. He considered the Cape of Good Hope as invaluable almost to us, as a place of safe reception to us between Asia and Europe; but although this was his opinion, yet he did not hold it to be any part of his duty to join those who took so much pains to render the peace an object of disapprobation with the people of this country; he saw no good that was likely to arise out of that conduct, neither did he think it was proper to cavil too much at that part of the exercise of the prerogative of the Crown, although it was done of course under the advice of Ministers. With regard to Malta, he considered it also as a place of great value, on account of the communication it had between the Mediterranean and the Levant—it was one of the finest ports in the world. It was in a commercial view most important for us to retain, but it was not in a commercial view that he felt the full importance of this place. He felt its value much more on account of the effect it would have on surrounding nations to see the flag of Great Britain hoisted as an assurance to all who passed it, of the protection of the British arms.

should the chance to stand in need of it; and when he came to add to this the desire of the Maltese to continue under our protection, he was the more induced to express his regret that this place had been given up. He had therefore no difficulty in saying, that under all the circumstances, he could not have assented to the giving up of either of these places had he been in Administration. But now for the immediate question before the House.—He could not agree to the address moved by his right honourable Friend, because it commenced with an invective against the peace. He saw no good likely to arise to this country from that course of proceeding. In the year 1783, when a peace was made, after it was admitted to be necessary on all hands, yet that peace was afterwards made use of by parties in that and the other House of Parliament, as an organ to destroy the Administration who made it. He did not like the purpose for which the parties then decried that peace; as little did he like the course which was taken now against this peace. He had stated the points in the present case in which he did not concur; but he desired to be understood as not being a party to such confederacy. He agreed on the whole with the amendment; and had it not been moved, probably he should have moved some amendment himself. The first address, if agreed to, he apprehended might do mischief. He approved of the amendment, because the general tendency of it was only to approve of carrying into effect the definitive treaty, because it was founded on the basis of the preliminary treaty, and which had already been approved of by the two Houses of Parliament.

Mr. Grenville explained.

General Gascoyne said, that when he considered the magnitude of the subject under discussion, and that a number of Members were at that late hour desirous of submitting their opinions on the nature of the treaty, he felt it his duty to move the question of adjournment.

The *Chancellor of the Exchequer*, though fully sensible of the importance of a speedy decision on this very interesting subject, yet wished its merits to be fully discussed; and if he could be assured that there were Gentlemen still anxious to deliver their sentiments, he should not oppose the question of adjournment.

Mr. Pitt observed, that if any considerable number of persons on the one side or the other were desirous of promoting and co-operating in a more minute enquiry, and of giving more material information on a subject of so much importance,

ance, he should feel no difficulty in saying that he was ready to accede to the motion of adjournment. But for himself he could assure the House that he was perfectly satisfied with the tone and spirit of the address, as it was amended, as well as with the arguments so ably and successfully used by his noble Friend. In favour therefore of the amendment he should have contented himself with giving a silent vote. There was, when he reviewed what had already fallen in the course of the debate, no prospect of any new arguments which might be supposed capable of making any serious impression on the minds of Gentlemen, and of changing their opinions as they existed, on either side. His noble Friend had made but one speech, and those who disapproved of the peace had delivered three or four speeches with all the benefit of a peroration and a summary. As he saw no probability that any additional arguments of importance would be thrown out in the course of further investigation, he should therefore press the immediate decision on the amendment.

Mr. Grey said, that however he might be disposed to vote against the address, he was less inclined to oppose the amendment, for though he could not help thinking that the dangers of the country were greater by the definitive treaty, than by the preliminary articles; yet he was convinced upon the whole that his Majesty was well advised to put an end to the contest even on those terms, rather than continue the war. It was difficult to reconcile the conduct of the right honourable Gentleman opposite to him (Mr. Dundas) who was ready to concur in applauding the wisdom of the treaty, yet strongly arraigned that wisdom, inasmuch as it had sanctioned a measure to which he himself would not have acceded—the cession of the Cape of Good Hope and of Malta. The war, he was convinced, had failed in all its objects, and our successes, however signal, had been separate, and their great end had been consequently defeated.

Mr. Dundas in explanation, undertook to exculpate himself from the charge of inconsistency preferred against him by the honourable Gentleman.

Mr. Sheridan said, that it was his intention to introduce an amendment for the purpose of bringing forward graver and more important matter, and of giving to several Gentlemen on his side of the House an opportunity of delivering their opinions more at length.

The question was then loudly called for, and the House divided on General Gascoyne's motion. For the adjournment 185—Against it 137—Majority 48. Adjourned.

HOUSE OF COMMONS.

FRIDAY, MAY 14.

The Kent insurance company's bill was brought up and read a first time. On the motion that it be read a second time,

Mr. *Shaw Lefevre* expressed a wish that the second reading might not be precipitated, and hoped the honourable Mover would name a distant day for the second reading, which was accordingly fixed for Friday se'nnight.

The manure admeasurement bill was read a third time and passed.

The second reading of the bull baiting bill was deferred till Wednesday next.

The mutiny bill went through a committee, and the report was ordered for Monday.

The further consideration of the report on the poor relief bill was postponed till Thursday next.

The lottery and franking bills were read a second time, and committed for Monday.

It was ordered, That it be an instruction to the committee upon the exports and imports duty bill, that on Thursday next they do take into consideration so much of the said act as relates to refined sugar exported.

The post horse duty bill was reported, and ordered to be read a third time on Monday.

The committee on the Irish navigation bill was ordered for Tuesday.

The Irish sugar drawback bill was read a second time, and committed for Tuesday.

The committee on the Irish linen manufactory bill was postponed till Monday.

Also the committee on the cotton apprentices' bill.

THE DEFINITIVE TREATY.

Sir *W. Young* then moved the order of the day for resuming the adjourned debate of the preceding day on the question for taking into consideration the late definitive treaty. The motion being agreed to,

The *Speaker* read the two addresses moved that night. The following is that moved by Mr. Windham:

"That an humble address be presented to his Majesty, to assure his Majesty that we have taken into our most serious consideration

consideration the definitive treaty of peace, which his Majesty has been graciously pleased to communicate to this House.

“That we acknowledge with all humility and submission his Majesty’s undoubted prerogative of peace and war; and that we shall consider it to be our first duty, as far as may depend on us, to maintain inviolate the public faith, as it is pledged by this treaty, and to assist his Majesty in performing, with uprightness and punctuality, those engagements into which his Majesty has been advised to enter.

“But that we cannot conceal the principal apprehensions with which we consider the result of these engagements, nor can we forbear to offer to his Majesty our humble and dutiful advice for the adoption of such measures as can alone, in our opinion, under the blessings of Providence, avert from us those dangers with which we are now surrounded.

“That it is impossible for us to have seen, without the utmost anxiety and alarm, all the unexampled circumstances which have attended the final conclusion of the present peace. The extensive and important sacrifices, which, without any corresponding concession, this treaty has added to those already made on our part by the preliminary articles; the unlooked-for and immense accessions of territory, influence, and power which it has tacitly confirmed to France; the numerous subjects of clashing interest, and unavoidable dispute which it has left entirely unadjusted; and, above all, those continued and systematic projects of aggrandizement, of which, in the very moment of peace, we have seen unhappily such undeniable and convincing evidence.

“That by relinquishing so many sources of prosperity in peace, and so many bulwarks of defence in war, and by renouncing at the same time the advantage and security always hitherto derived from the accustomed renewal of former treaties, the British Government has imposed on itself a greater necessity than has ever before existed for measures of increased precaution and for determination of unshaken constancy.

“That we therefore rely on his Majesty’s paternal wisdom, for a watchful and unremitted attention to the situation and future conduct of the power with whom we have negotiated, and we think it necessary more especially to assure his Majesty, of our ready and firm support in that determination, which we trust his Majesty will henceforth pursue, of resisting every fresh encroachment, of whatever nature, which shall

shall be attempted in the maritime, commercial, or colonial rights and interests of the British Empire.

"This our solemn declaration must, as we believe, materially conduce to prevent the necessity which it is calculated to meet, and we trust that his Majesty will also approve of our desire to support it by a scale of naval and military defence adequate to the extent of our danger, and to the importance of the interests which we have to maintain.

"The anxiety which we feel in this respect, is the necessary consequence of our sincere wish for the permanence of the public tranquillity, which his Majesty has now re-established. And it is for the same important purpose that we also most earnestly recommend to his Majesty's wisdom the pressing necessity of arranging, by immediate and amicable discussion, those points of essential interest which had been adjusted by former treaties, but for which no provision has been made in this negotiation.

"These counsels we submit to his Majesty with confidence in the present awful crisis of public affairs, prepared to meet with firmness all the difficulties and dangers of our present situation, but desirous above all things to promote the stability and security of real peace; the object of which it has been his Majesty's benevolent desire by such extensive sacrifices to ensure to his loyal and affectionate people."

The amended address, by Lord Hawkesbury, was in the following words:

"That an humble address be presented to his Majesty, assuring him, that the House had fully considered the definitive treaty laid before them, and that they acknowledge the royal prerogative as to the question of peace or war; that they consider it their duty to maintain inviolate the public faith, as pledged in the said treaty; yet, notwithstanding they cannot conceal from his Majesty the painful apprehensions they entertain as to the consequences which to them appear likely to result to the country from the conclusion of that peace; nor withhold their advice to their Sovereign, in order to avert, with the assistance of Divine Providence, the dangers with which the country is surrounded, as they cannot, without dread and alarm, contemplate the continued and systematic projects of aggrandisement on the part of France, with the large accession of power and territory made by that country at the very moment of negotiation: The clashing interests which had been left unadjusted, and the unavoidable disputes left open; and,
above

above all, the preponderance of power left in the hands of France by relinquishing the great bulwarks of war; by which means the British Government, in the event of the renewal of hostilities, would be exposed to greater dangers and difficulties than the necessities of circumstances warranted, or obliged the country to submit to. The House, therefore, relying on his Majesty's wisdom and paternal affection for his people, humbly recommend to his Majesty to keep a vigilant eye over the actions of our late enemy, assuring his Majesty at the same time of their readiness to co-operate with him, as resisting every encroachment and innovation whatever, which may hereafter be attempted on the maritime, commercial, and colonial rights of the country; and they trust, that his Majesty will approve of their earnest desire to support those rights, by a scale of naval and military defence commensurate to the impending danger; and of their anxiety for securing the permanency of the tranquillity now accomplished; for the more effectual accomplishment of which they would recommend a speedy attempt towards an amicable adjustment of those points not included in the treaty, which might furnish ground to future doubt and dispute, and which they have been induced to offer to his Majesty's notice, from the sincere love and attachment they bear to their Sovereign, and their earnest solicitude for the happiness and welfare of the country at large, by procuring stability to a safe and real peace."

On putting the question on the amendment,

Sir *William Young* rose. He began with a defence of the mode which he and his honourable Friends had adopted in the course of the present discussion. He said, that it was not from any factious motives, or from any design of seizing, by surprise, on the public mind, that they had adopted the analytical mode of inquiry. But when the importance of the subject was considered, and the magnitude of the interests it involved, it could not surely be esteemed factious to desire an analysis of its parts. It was by this analytical mode alone that the treaty could be completely understood, and the minds of the hon. Members properly prepared for taking a general view of it, and deciding on its merits by its merits upon the whole. But without seeking for other arguments to justify this manner of proceeding its propriety was deduced from its visible consequences in the preceding night's debate. Much rubbish, much obscurity had previously been cleared

cleared away, the several parts had been separately examined, and the House were enabled to take the whole subject at once under their deliberation. He then paid some compliments to the motives which actuated his honourable Friends in their political conduct in general. Such, he said, was his opinion of their wisdom and integrity; that he wished to be implicated along with them in every transaction, whatever opinion the world might form of them. Their conduct on the present occasion was such as might not be approved of by those that opposed them; but the country at large must do them the justice to own, that they were actuated solely by views of public utility. He then adverted to the address proposed. He stated, that when such measures as a great standing army in times of peace was found necessary at present to be adopted, it was of the last consequence that the public opinion should correspond with that of the House. It was proper that the people should be made acquainted with the state of affairs which rendered such unusual and formidable measures essential to the security of the country. This was done very plainly and forcibly in the address. He could not, however, think the address went far enough; but if it had the effect of rousing the slumbering spirit of the country it was a great point gained. He said he preferred the address to the amendment, because, in the latter, our claims were not enforced with sufficient spirit or vigour. Another cause of his dissent from the amendment was, that it affirmed the definitive treaty to be founded on the basis of the preliminary treaty. With this position he could by no means agree, and he should now proceed to enumerate the points in which they appeared to him to differ. The first article he adverted to, was the stipulations relative to Malta. He contended, that since the preliminary treaty, France had acquired such an ascendancy in Italy as to have Malta completely in her power; and the Italian Republic, instead of an independent state, was become a part of the French dominions. After this it is childish to say Malta is not French; we all know it to be so. With regard to the internal regulations of that island, we had, in the preliminaries, guaranteed the sovereignty of it to the order of Malta; but, by the definitive treaty, we had destroyed the very fundamental institutions of that order. We had introduced into it a new *Langue*, to be composed of native Maltese; but where were inhabitants of Malta to be found fit to become members of a noble order? From a residence of some time in Malta, he could state, that his

inhabitants

inhabitants were as mean and ignorant as could be imagined. He could state, from personal knowledge, that there were not above five merchants in the whole island; the rest were composed of gold siners and other labourers, who mostly spoke the Arab language, with some mixture of all languages. Were these people fit to mix with an order of ancient nobility? By such a stipulation, the government, though nominally restored to the order, was, in fact, given up to the democracy of Malta. The nobles will, of course, refuse to associate with this new *Langue*, which, by calling in foreign aid, will assuredly place the island in the hands of our enemies. He then adverted to the cession of Louisiana, which he represented as a compensation made to France for advancing the new King of Etruria to his throne. All these evils, and others also, he concluded, arose from the non-renewal of the treaty of Utrecht, in which it was expressly stipulated, that France should acquire no new possessions on the continent of America. He then took a view of the advantages which France possessed in the West Indies. In St. Domingo, about 100,000 negroes had taken refuge in the mountains, which afforded France a plausible pretext for maintaining an army of, at least, 25,000 men in the plains. On the breaking out of a war, then, was nothing to be feared from such a formidable French force in that quarter? With regard to what a noble Lord had, the preceding night, advanced concerning the sources from which our seamen were drawn, he could not help thinking our West-India trade was the chief, as those bred up in it were more experienced, and also inured to every change of climate. It was evident that France looked to this source for the revival of her navy. She would now have a body of men in readiness in her West-India islands, a station for them on the continent, and, therefore, every convenience, of which she would not fail to avail herself, of over-running Mexico. He said it was vain to hope we should be able to maintain tranquillity with France. Let us observe what has been the spirit of all great military republics on record, we should find the desire of conquest and dominion equally pervade the whole. What Rome was, France will be. He did not think that France intended immediately to break with us; but he was convinced it was her intention to take from Great Britain her means of resistance, by blows aimed at her only vulnerable part, her commerce. As, however, the present treaty had been concluded and ratified, it was his earnest

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wish to see it maintained; but maintained upon the principles laid down in the address.

Lord *Castlereagh* replied to the honourable Baronet in a speech of considerable length, in which he touched on the different arguments that had been urged in favour of the original motion. We shall only attempt to give the more prominent points of his speech. I feel considerable reluctance, Sir, (said he) to attempt troubling the House upon a subject that has already been so fully and so ably discussed; but I must solicit a few moments of their attention while I state the reasons which induce me to concur in the address moved by my noble Friend. It appears to me that the question may be resolved into two points, and on those only shall I dwell, viz. how far the late treaty has provided for our security; or whether it might be better provided for by a further prosecution of the war. But before I come to a more immediate consideration of these two points, I wish to be indulged in a few observations upon the two great features which the discussion seems hitherto to have assumed. What I allude to are the alterations that have taken place in the relative situation of the two countries between the signing of the preliminaries and the conclusion of the definitive treaty, and the proceedings which the British Government should have instituted in consequence of those alterations. As to the events that have taken place upon the Continent, I am ready to agree that they are extremely important in their nature, and that as such they might have been the ground of a new consideration; they might be deemed sufficient to justify a breaking off of the treaty, or at least a demand for an equivalent. But in making up my mind on this part of the question, I think it my duty to examine how far it bears on the general question. Did these alterations so endanger our security as to make it wise in Ministers to break off the negotiation? I cannot really consider them of that magnitude with regard to us. But have Ministers made any attempt to obtain an equivalent? They may, or they may not, as far as I can pretend to say. But what could be that equivalent, the failure to obtain which would have justified them in breaking off the treaty? I am rather inclined to agree with my noble Friend, that neither the alterations that have taken place subsequent to the signing of the preliminaries, nor an endeavour to obtain an equivalent, could have warranted Ministers, who acted on the principle of our own security, to forbear bringing the treaty to a final conclusion. The security

rity of the Continent, though much to be wished, was not with them the most urgent or the most important object. But in considering the consequences of the First Consul of France having assumed the Presidency of the Italian Republic, it was material to distinguish between the direct and indirect disposal of the resources of that Republic—that he indirectly influenced the resources of the Cisalpine Republic previous to the signing of the preliminaries, nobody will deny; and that since his accession to the Presidency of the Italian Republic, these resources are at his more direct disposal, may be also acknowledged. But as that influence more immediately affects other countries, and as we were anxious to provide for the security of our own, was this change in the influence of France over Italy a sufficient cause for a renewal of the war on our part? I cannot, neither do I believe the House can think so. Indeed the cession of Louisiana appears to me of more importance. In that we are more particularly and more vitally concerned, because it may more materially affect our colonial interests. But is the chance of affecting those interests, dear as they justly should be to us, a justifiable ground for relinquishing the hopes of peace? Surely not. As to what the honourable Baronet asserted, that this cession was a breach of the treaty of Utrecht, surely, in that assertion, he did not evince his usual accuracy of research, for Louisiana was not then considered as one of the possessions of Spain that should not be yielded to France; neither was it guaranteed by that treaty. It passed to France from Spain, by a secret article of the treaty of 1763. That was looked upon as a proud peace; yet the present treaty was in some points more advantageous, for by it we possess a leading and commanding station in Trinidad, which we did not possess before. But it is asked, how far will the spirit of encroachment, which actuates France, be permitted to advance? That spirit it is, no doubt, our duty and interest to watch; but I am bold to say, that it is peculiarly incumbent upon us, under the circumstances of our present situation, to shew ourselves anxious to prove that it is our sincere wish to embrace a system of peace, as far as that system is compatible with our safety. That proof we have given by acquiescing in the alterations that have taken place in the relative situation of the two countries since the signing of the preliminaries; and unless France now begins to act in a different spirit from that which prompted these alterations, neither the maritime or continental peace that now prevails, can be

of any long continuance. But it was the prerogative of his Majesty to make war and peace, and how Ministers would act in advising the former depended on their discretion. If future encroachments were attempted by France, no doubt the House would be prepared to pledge themselves in support of administration, and both Parliament and the country would unanimously and cordially combine in arresting the progress of such a spirit, that must prove both dangerous to our own security, and subversive of the independence of Europe. There were two others on which I must now beg leave briefly to touch; the one was Malta. By the preliminaries it stipulated that that island should be made independent of the contracting parties, and it was expected that a great power (Russia), would have garrisoned it; but this, it seems, Russia declined. As a military station, Malta was undoubtedly of great value, especially as it favoured an attack upon Egypt. In this view it was more important than in its bearings on Italy or on our commerce. But when Russia refused to garrison it, what better arrangement could have been made than that which the treaty has adopted? That it was not in a perfect state of security I am not prepared to deny; but if adequate funds were provided to support a garrison, its situation would by no means be precarious. The conduct which its inhabitants had displayed on very trying occasions, gave a fair promise that they would again act with the same spirit for their defence. The funds, indeed, formed an important question; and I am happy to have found a statement of the revenues of the island, which I am led to think authentic, and which represents them in a more favourable light than they had hitherto been represented. This statement makes the revenues amount to one hundred and thirty thousand pounds. Since that calculation was made, a new source of revenue has been opened by the establishment of new languages in other countries, particularly the Russian and Bavarian languages. So that taking the old and new revenues together, they will now amount to about three hundred thousand pounds, exclusive of the commercial revenues of the island at the disposal of the grand master. Besides, an improved regulation has lately been adopted in the customs, which promises a great increase in the revenue, and on every view of what may improve or increase its revenues, they may be expected to amount to as large a sum as they stood at previous to the war. Add to this an accumulated surplus left by the late Emperor of Russia, and
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which would now be converted to the better re-establishment of the order.—So much for the revenues of Malta. The grand object we had in view, Sir, in that contest in which, for nine years, we were engaged, was the attainment of general security, and to see how far we have succeeded, I cannot do better than refer to the three leading points on which this security was to be founded. It was by the abolition of Jacobin principles, by the enemy being placed in that situation in which they could no longer cope with the same prospect of success to press them against this country, or by such an alteration in their application that they could not excite any feeling of formidable danger. Now, Sir, will any man say, that the danger from French principles exists to the same extent as at the commencement of the war? Whatever opinions may be entertained of the nature of the present government of France, it cannot be denied that no particular spirit of malignity is now shewn to this country. We hear no more of those wild schemes of subverting our independence as a nation which former governments of France were so forward to avow. The French now look to this country as a country enjoying the advantages of liberty, as possessing a constitution which is worthy of being considered as the model of a free government. They feel for us all that deference and respect which it was usual to entertain under their ancient government. With reference to the second ground of security, I contend that, even supposing the French principles to exist in their full force, it is impossible to entertain the same hope of establishing them in this country. At the time the war broke out, their principles were not understood; they were apt to mislead from their novelty; they had not produced in France those miseries and crimes which have now rendered them the just objects of universal execration. Now their real character and tendency is notorious to the world; the people of this country have, for nine years, had an opportunity of contemplating the enormities to which they have given birth, and to turn from the view of such disasters to the blessings of a free constitution. It would therefore, Sir, be impossible now, if these principles still remained, to propagate them with any prospect of success. The third ground of security arises partly out of the two preceding circumstances. The best test of the extinction of these principles would undoubtedly have been the re-establishment of monarchy in France, and hence, in conducting the war, we looked to this as a most desirable object

as long as any chance of its being obtained continued. I never professed, however, to say, and I am equally confident my right honourable Friend near me (Mr. Pitt) never professed to say that security could not be obtained in any other way. We sought security by pursuing this object as long as the circumstances of Europe afforded any prospect of success, and, though in this object we have failed, I maintain that as far as our separate security is concerned, it has been fully accomplished by the conduct of the war. For though the territorial acquisitions of France cannot be viewed without regret, I concur with my noble Friend, that, so far as our separate security is concerned, this extension of territory is a circumstance which ought not to excite any degree of immediate alarm. I concur no less with him in thinking, that, relative to France, we are now in a greater state of security than in any former period of our history. I am, indeed, ready to say, that the influence which France has acquired is, for the continent, highly disastrous, and that the state in which the balance of power is left, in the general system of Europe, is extremely unsatisfactory. France, if she chuses to neglect the internal improvement of her territories, may undoubtedly carry desolation over the continent to a degree still more extensive. Whether she will, for the purpose of gratifying an inordinate lust of dominion, incur the imputation of leaving her own people the prey of barbarism, we have yet to discover; but, at present, the extension of her territories, as far as the safety of this country is involved, excites, in my mind, no degree of apprehension. That by the cultivation of the arts of peace, by the introduction of habits of industry into the territories she has acquired, she may hereafter make very important advantages from her conquests, I do not deny. Nor do I mean to assert that, with regard to the security of this country, these acquisitions may not, one time, acquire vast importance; but I do contend that, as far as immediate security is concerned, as far as our interests are at present liable to be affected, they ought not to give rise to alarm. The dangers which may flow from them are not the dangers of the present moment; they can only be the dangers of a remote period, a period by far too remote to be calculated upon when judging of the effects of the present peace. I am indeed surprised at the unworthy timidity expressed by my honourable Friends on the other side. When I make use of this expression, I am far from meaning to insinuate that they are conscious of any such

such dishonourable feeling; but I cannot help saying, that the fears they have expressed can serve no other purpose but to lower the tone and temper of the people of this country, and to elevate the tone and temper of our late enemy. (*A cry of hear! hear!*) On this part of the subject I beg leave shortly to take notice of the change which has taken place in the situation of the country in consequence of the war. The noble Lord below, in the former part of this debate, stated this alteration with such ability, that I shall at present content myself with recalling the circumstances which he enumerated to the recollection of the House. No one more sincerely laments than I do the loss of our influence on the continent; but if I were called upon to say what would have the greatest effect in restoring our influence on the continent, I would say, that it would be the giving back to France her colonial possessions. Let her commerce be revived—let her colonies be cultivated, and our interests will proportionably increase. Now let us see what is the comparative state of the imports and exports of the two countries. During the war our imports have increased from nineteen to thirty millions, and, in the same period, our exports had been augmented from twenty-four to no less than forty-three millions; our articles of British manufacture exported have risen from eighteen to twenty-four millions, and our tonnage from 1,600,000 to 2,100,000; our mercantile seamen have increased from 118,000 to 143,000; and when it is considered that, during a considerable period of the war, 120,000 sailors have been employed in our navy, this accession of numbers cannot be considered without astonishment and admiration, nor fail to exhibit the most satisfactory evidence of the flourishing state of our maritime resources. Such a view of the commerce of the country at the conclusion of a war, the most expensive in which this country was ever engaged, surely affords no room for indulging any great degree of apprehension for its future prosperity. It is besides, Sir, to be considered, that during the war a considerable part of the carrying trade was in the hands of neutrals, and that it will now naturally return to its ancient channels of British conveyance. When I take these circumstances into consideration, I confess I am astonished at the apprehensions which my honourable Friends have expressed. Now, on the other hand, Sir, does France now stand in point of commercial resources? In 1777, the latest period to which any regular account can be obtained previous to the war, the French ex-
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ports were twelve, and their imports about nine millions. In the interval they had certainly increased, but, allowing for this increase, they will not differ materially from this statement. From the West Indies their imports were about seven millions and a half, and their exports about two millions and a half at the same period. By the report of last year the imports from the colonies did not exceed in value 61,000*l.* and the exports were not more than 41,000*l.* Suppose then, that at the commencement of a commercial rivalry betwixt the two nations, the exports of France should be seven, and their imports eight millions, while our exports amounted to forty-three, and our imports to twenty-three millions, was there any reasonable ground of apprehension about the result of such a commercial contest? Yet, Sir, by a strange inconsistency, when such is the relative situation of the two countries, we are told that our commercial greatness is on the eve of being eclipsed, that our prosperity and our wealth are on the brink of destruction. Before we give way to such groundless apprehensions, before we cherish such desponding fears, it would, at least, be becoming to estimate the means we enjoy of increasing that wealth which we have acquired. We ought to calculate the effect of a capital, more than adequate to the territories on which it is to be employed, before we ascribe so much to the acquisition of territories, for the improvement of which, as in the case of the territories of France, capital is wanting. So far then, Sir, I see no room for apprehension, and I think there is as little to be reasonably dreaded from any prohibitions imposed on the introduction of our manufactures into France, or into the countries of her allies. How it can be the interest of a poor country to purchase dear articles instead of those that are cheaper, I confess I am altogether at a loss to discover; yet such would be the policy of France in excluding our manufactures from her ports. But even allowing that France, by this exclusion, should act against all the plainest dictates of common sense, how can we imagine that she will be able to persuade the powers under her influence to consent to such prohibitions? Is it at all probable that they will please to buy articles at a much dearer rate, when English manufactures were in their power at a lower price and a superior quality? It is not easy to suppose that they will consent to a prohibition so obviously disadvantageous. But, Sir, let us briefly turn our attention to the state of Europe, and see how far this influence of the French

French can possibly be exerted. We have already seen the experiment tried, and we have seen its futility demonstrated. We have seen the trial made in a year of war, when every effort was used to ensure it success, and under circumstances far more favourable to such success than any which can exist in a period of peace. I confess, Sir, the subject is a very dry one; but it is one in which we are all much interested—one on which we are all anxious to have our minds relieved from apprehension. (A cry of *hear! hear!*) In the year 1800, a year surely the most favourable for the exclusion of articles of British manufacture, our exports to the continent of Europe were to the value of seven millions five hundred thousand pounds. Having stated what this amount was at a time when the prohibition against our goods was more general than at any former period, I beg leave now to turn the attention of the House to the countries which are not under French influence, and to which, consequently, the prohibition will not extend. They are Denmark, Sweden, Russia, Prussia, Poland, and Germany. To these countries the exports amounted to six millions in the year I have stated. Now what are the countries to which it may admit of argument whether the influence of France is so powerful as to procure an exclusion of our manufactures? They are Holland, Spain, Portugal, and the states of Italy. As to Portugal, I see no reason to believe that, during peace, the French will insist on excluding our manufactures. The prohibition only extended to the continuance of the war, and the stipulation at the conclusion of peace is, that France shall be allowed to trade with Portugal on the footing of the most favoured nations. This is all that I should ask for a British commerce and British manufactures. Let a fair competition once be established, and I have no fear about the result. The greater part of Italy I allow to be under French influence, but with Venice in the hands of the Emperor, at the one extremity, and Naples at the other, I see little reason to dread the consequences of any prohibition which the French may attempt to establish. In stating that to these countries, during the year I have mentioned, our exports amounted to one million three hundred thousand pounds, all that remained was only two hundred thousand pounds out of the value of the whole exports. We have already, therefore, seen the worst of the effects of such prohibitions during the continuance of the late contest; it is contrary to any principle of reason to suppose we can experience any worse effects.

sects during a peace, and therefore we have no reasonable ground of apprehension. If we look to America we see the fairest prospect for the continuance of our commercial relations, and if we look to the West Indies, there is still as little room for gloomy apprehensions. It may be said, indeed, that several important colonies are now to be restored to the enemy, and that our trade will materially suffer by this restoration. This is, in my opinion, a groundless apprehension. If we look, Sir, at the extent of British produce sent to all these islands, we shall find that it did not exceed, in annual value, 800,000*l.* an amount surely, when contrasted with the great aggregate of our exports, of very inconsiderable importance. But I deny that a loss, even to this amount, will be sustained. France cannot, in the present state of her manufactures, supply the demands of her colonies. She will be compelled to resort to the British market to obtain the necessary supply. We find that this is nothing singular in the history of this country. For a considerable time after the peace of 1763, the restored possessions of the French were supplied with articles of British produce; the same thing took place at the peace of 1783, and it was surely much more likely that it should take place under the present circumstances of France and her manufactures. When we look to the state of the French colonies, which are now in their own possession, we see still less room for apprehension. On the situation of St. Domingo, I have only a few observations to offer, and it is the less necessary for me to enlarge, as I see an honourable Gentleman opposite (General Maitland) who will give you much more accurate information on the subject than any to which I can pretend. I say then, Sir, that if France succeeds in restoring industry to this important colony, and this they could only do by importation, according to the most moderate calculations, about one half, or nearly three hundred thousand of the blacks have perished since the commencement of the first disorders in the island. Taking the number of negroes wanted to be three hundred thousand, and the price of each man to be 60*l.* which was not an exaggerated valuation, no less a sum than eighteen millions will be necessary to provide for the island the number wanted to fill up the place of those who have perished in the civil contests, or openly in the field. Can we suppose that, under the present circumstances of France, she should soon possess such a redundancy of capital as to enable her to make the purchase, without which the island

was without value, far less to put it on that footing which would render it as valuable as it was prior to the first insurrections which took place? The question of the probable success of the French, or of the difficulties they may experience in restoring tranquillity to the island, is one involving so many different considerations, that I am unwilling now to enter upon it. I will only remark that the establishment of an independent Black Government is what I could not contemplate without dismay. The dangerous effects of such an establishment on the tranquillity of the negroes in our own islands are sufficiently obvious, and I leave it for the consideration of the House, that with such an establishment, France might avail herself of the breaking out of the first war to annoy our islands. His Lordship concluded by expressing his conviction that we had come out of the combat in a situation which would enable us to meet any danger which might threaten our independence or our honour. The exertions we had already made had enabled us to sit down in peace, if the world would allow us to continue so, and under the circumstances in which we found ourselves placed, he thought it well to discontinue the contest, since we could discontinue it in perfect consistency with our safety. He trusted that a vigorous establishment would be preserved, and that we would be ready to stand forth in any contest which might be necessary for the maintenance of our rights, our independence, or our honour.

Sir William Young explained.

General *Maitland*, after some introductory observations, directed the attention of the House to the boundaries of French and Portuguese Guiana, which had furnished so fertile a topic of animadversion. He had not, like some of the honourable Gentlemen who complained of this article, ransacked all the most rare books, or consulted the most esteemed maps, to ascertain what these boundaries really were, nor did he pretend to any extraordinary degree of information on the subject. The opinion he had formed was drawn not so much from any examination of maps, as from the nature of the thing itself. He took his information from the opinions of the two nations principally interested, that there was a very important distinction betwixt the boundaries alluded to. So much convinced was France that there was a most essential difference, that they refused to ratify the treaty by which the boundaries secured by the definitive treaty was established, and humbled as Portugal was, she determined

rather to continue a most unequal contest than to yield a point which she judged to be of the highest importance. Were the House now to be told that France had totally misconceived the affair, that Portugal was utterly ignorant of her own boundaries, and that rejecting the views of the article in question as absurd, the opinion of the honourable Gentlemen who opposed the article, was to guide their ultimate decision? This was the natural inference from their arguments, if they admitted of any legitimate inference at all. The fact, in his opinion, undisputably was, that in obtaining for Portugal the boundaries specified in the definitive treaty, we had obtained for a faithful ally what she considered as a great gift. The House had heard a great deal of the danger of this new boundary, as well as of the cession of Louisiana to France. By this cession, America on the one hand, and Mexico on the other, were in danger, and liable to become the prey of France. This was not the first time that strange doctrines had been advanced. In 1717 the foundation of the bubble of the Mississippi scheme had been laid, and he believed the present speculations on the danger likely to result from this cession were no better than a bubble. It had been truly stated by the noble Lord in the former part of the debate, that with all the advantages which France possessed, Louisiana had been sixty years in her possession, and had never been brought to any degree of cultivation, or rendered a settlement to which much value was attached. When Martinique, St. Domingo, and the other French islands in the West Indies were brought to a state of maturity, the settlement of Louisiana continued uncultivated and unimportant. Even as far down as the year 1795 its population was not more numerous than at the time of its cession to Spain. During a whole century it had attracted less attention, and employed less care than any other possession belonging to any of the European powers. With regard to the dangers to be apprehended from the cession of this settlement to France, at the present moment, he had this observation to make, that it was extremely unlikely that an infant and imbecile settlement should create any alarm in the continent of North America. It had been alledged that if the French standard were once erected in this region, multitudes would flock to it from all quarters. He would only remark on this, that if things proceeded so far, and if the American standard was raised in opposition, there was no room for uneasiness about the result. But when Gentlemen were thus declaiming on the
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the dangers to be apprehended from this new settlement; he could not help expressing astonishment at the strange line of argument they adopted. Did it never, he asked, occur to them that the French could not carry these ambitious designs into effect without fleets and a considerable army? Did they never reflect that before these fleets could reach their destination, or rather before they could venture to leave the French ports, it would be previously necessary to procure passports from the Lords Commissioners of the Admiralty? (a cry of *hear! hear!*) We had seen France obtaining the most decisive advantages in Europe from the facility with which she was able to provide every thing requisite to secure victory to her troops. But very different would be her situation abroad. Not a single article of supply could be obtained without the permission of this country. Till the French had a navy equal to our own, till their fleets were able to dispute the superiority with ours on the open sea, at the breaking out of the first war, every one of their colonies would fall into our hands, and every maritime station would be occupied by our fleets. He was ready to grant that France was a great military Republic, but hitherto she had no pretensions to the character of a naval Republic. Before she was able to carry into effect those formidable designs of which the House had heard so much, her whole maritime and naval system must be changed. The honourable Gentleman next touched on the subject of St. Domingo, and contended that by the peace we had obtained greater security for our West India islands than we could have obtained by any other means. He begged the House to reflect on what the consequences would have been if a Black free Republic, but which he should take the liberty of styling a free Anarchy, had been established. Such an event as this would have been one of the greatest evils, because it was an evil beyond the reach of human precaution. If this anarchy was destroyed, he would not say that there was no danger to our colonies from the presence of a great French army in St. Domingo. There would, however, be this marked and important difference—the danger would assume a different form. It would be a legitimate danger, against which it would be possible to provide corresponding measures of precaution. A large army in St. Domingo was undoubtedly a great evil, not so much as it was a ground of apprehension, as because it obliged us to keep a corresponding military establishment in our colonies till the existing disturbances were settled.

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That they would be settled he entertained no sort of doubt, and the settlement would be a circumstance not only highly fortunate for that part of the world, but for the general interests of humanity. He adverted next to our possessions in India, which he conceived to be fixed on as secure a footing as any that ever existed in the annals of the world. In allusion to the Cape of Good Hope, he took occasion to state that on this point he differed with a right honourable Gentleman (Mr. Dundas) with regard to the importance of retaining it under the present circumstances of our Eastern dominion. Had our possessions in the East not stood on their present secure footing, had the empire of Tippoo still existed, he certainly should never have sanctioned the surrender of the Cape. But, confirmed as our dominion was, having nothing to dread from any rival or enemy, he thought the surrender perfectly justifiable, and that the arrangement of the definitive treaty secured every advantage which it was calculated to afford. The restoration of the French factories in India he viewed as a matter of not even the slightest alarm. The French never could make any establishment in India which would be dangerous to our power. He next alluded to Malta, and shewed, particularly from the conduct of the expedition to Egypt, that it was not so necessary as a naval or military station, as many people were inclined to suppose. He concluded by expressing his approbation of the treaty, and giving his vote for the amendment.

Lord Temple said, he should not now go over the whole of the subject, as its principal points had been so thoroughly discussed. The noble Lord (Hawkebury) had stated the peace to be insecure, and therefore he would vote for the address because he wished to make it secure. The noble Lord (Castlereagh) had observed that this country would not long remain at peace, if France still pursued that line of conduct which she had adopted between the preliminary and the definitive treaty: for this reason he voted for the address, because France had constantly shewn the same spirit of aggrandizement. He must a little complain of the noble Lord who had spoken last (Castlereagh) and the other noble Lord (Hawkebury) with respect to the course of argument which they had adopted. They had asked, was it better to renew the war on account of the aggrandizement of France, or to make peace? but this was not the question. The question was, whether, with our successes and our resources, we were not intitled to more than his Majesty's Ministers had

had obtained? The question was, whether we should not have obtained a compensation for the advantages which France had in the mean time obtained? It had been said, that the definitive treaty agreed with the preliminary treaty, and therefore they were bound to agree with the amendment: he could not agree to this proposition, because the situation of Europe was not the same at the period of the definitive treaty as it was at the period of the preliminary treaty. Would the noble Lord contend, that our situation was the same after France became possessed of the Italian Republic, or that the basis of the treaty was not changed? Under such circumstances, his Majesty's Ministers ought to have obtained an adequate compensation from France for the increase of power to her which had taken place between the preliminary and definitive treaty. What was the situation of France with relation to the rest of Europe? It had been truly stated to be unsatisfactory. With respect to Malta, they had been told that it was placed in the hands of an independent power; it was necessary, however, before this assertion could be received, to prove that Naples, to whose hands it was intrusted, was an independent power; it was necessary to prove, that she was able to take care of her own interests, before those of others were intrusted to her. The noble Lord (Castlereagh) had given a statement of the trade of France, and observed upon the impossibility of her rivaling us; but the statement of the noble Lord did not relate to the present time, but to the period of the Monarchy: The case, however, was very different now, when France had added to her resources and her means beyond all proportion, and when she possessed an extent of coast from Venice to the Texel. It had been stated that Malta was of no use to us in a time of peace; it might be very true, but it was well known that it would serve as a depot of provisions for the use of our troops, and that it would serve to protect from the French expeditions, whilst it would also protect our blockade of Toulon. In viewing the merits of this treaty he would ask, had we obtained what had been so triumphantly asserted to be the object of the war, indemnity for the past, and security for the future, which were the only grounds on which this country ought to make peace? Had we obtained either of those objects? With respect to indemnity, were we to look for it in the advantages of Europe, with whom we had made a common cause? Were we to look for it in the indemnity given to our good allies? Let us look at the
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King of Sardinia, was he named at all in the treaty? With respect to the Queen of Portugal, her integrity had been broken through, and so subservient was Portugal to France, that he believed our ambassador there had been sent home for instructions, with respect to an insult which this country had received there. Had we left Naples independent? The Isle of Elba would sufficiently testify to the contrary. Last, though not least, was the Prince of Orange: if ever less indemnity was offered, if ever an insult was offered to an ally, it was to the Prince of Orange: we allowed the revival of the old dispute relative to his title, and we had said he should have indemnity; but we had not said when or how. If any evidence was wanting against the treaty, it was that of the noble Lord (Hawkesbury) who had declared the peace to be insecure; let them look even at the address moved by the noble Secretary of State, and they would find that it recommended the keeping up a war establishment in time of peace; in this point of view the peace was insecure. As to our trade, he should say but very little upon it; but it was of importance to consider the means which France now possessed of extending her trade, and of shutting many of the ports of Europe against us. With respect to the Cape, he should say nothing, as the subject had been so ably discussed by a right honourable Gentleman (Mr. Dundas) on a former evening. He could not help observing, however, that we had given up to France every establishment connected with our East India possessions, where they might make, undisturbed, whatever arrangements they chose, for the purpose of annoying our trade and attacking our power. It had been said that his Majesty's Ministers had given up none of our rights, but how would they justify giving up the honour of our Flag, which was the last privilege they ought to have given up? He wished to ask who wished for war, his Majesty's Ministers, who preserved a sullen silence, and refused to explain any article of the treaty, or those who wished to settle those points by amicable negotiation?

The *Master of the Rolls* said, he rose to make a few observations on one or two of the points in discussion before the House. He should confine himself to these, as it was impossible to embrace the whole subject in any reasonable compass, and as particular arrangements had been very ably explained and defended by those who were concerned in framing them. To enter into details would be quite unnecessary, as, if the peace was unjustifiable upon the principles of the

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Gentlemen who had opposed it, it was liable to objections which no consideration of its conditions could remove. The right honourable Gentleman who opened the debate, shewed much ingenuity in establishing positions which a great majority of the House would have no inclination to dispute. But, said the hon. and learned Gentleman I am utterly at a loss to see the connection between these opinions and the merits of the peace. Gentlemen seem to think they have done enough when they prove that the power of France is prodigious, and that the liberties of Europe are endangered. They point out the lamentable effects of this power; but do they shew that it is produced by the peace? Sir, it arises from the events of the war. Do I say that it was unwise in this country to engage in the war? By no means. Bad as the situation of Europe at present is, it would have been infinitely worse had we remained inactive. The peace has not taken from France this overgrown power; no peace could be hoped to make her resign it, and no war could have wrested it from her. It will then be said, "You were driven to make peace from necessity." In a certain sense we were. With a wise man what is prudent is necessary. When we could gain nothing by the war, there was a moral necessity that we should make peace let our physical strength have been ever so great. If my right honourable Friend will shew me how we can change what we all most sincerely lament, I will join my endeavours to his to urge exertion and perseverance. I will not ask from him a demonstration of success, nor even those high degrees of probability which approach it. Let him shew any rational chance on which a sober headed man would act in common life, and I immediately close with him. But, Sir, he is surely bound to point means which, if skilfully employed, would be in some measure adequate to the purpose he recommends. While we had allies, Sir, it was always possible that their successes might have put things in a more favourable situation. At the opening of every campaign there was a chance and a hope that the balance of Europe would be restored. We might still entertain this flattering prospect at the time of the rejection of Bonaparte's first overture. More favourable terms of peace might have been obtained then, but perhaps we would not have been justified in abandoning the chance of obtaining all that we wished. In such a state of things it was better to prefer war to such a peace as this, or perhaps even to entering on a negotiation. It was possible that we might have obtained

much more than any treaty could have given us. Be that as it may, there is no principle of any kind on which we can carry on war for the continent without a continental ally. We can assist in the deliverance of Europe, but we cannot achieve it. Mr. Burke said it was impossible for us to make any impression upon France, except in conjunction with the community of Christendom. This position is too broad. All interests that are British we can assert, and assert with effect. With regard to others it is unquestionably true. We can calculate our efforts; we know that there can be no progression in them; after years of war we should not have advanced one step towards the emancipation of the subjugated states. What can we do unassisted for the independence of the Cisalpine Republic, or to prevent Spain from ceding Louisiana to France? It is not that these objects are not great, but that they are unattainable. The noble Lord (Lord Hawkebury) after whose manly, eloquent and unanswerable defence of the treaty, I ought to make an apology for at all offering my sentiments, urged the absurdity of continuing the war, to determine whether Bonaparte should have a direct or indirect influence over the Italian Republic, when we had consented to discontinue it for the purpose of wresting from France the Netherlands and Holland. A right hon. Gentleman (Mr. T. Grenville) replied, that it was unfair to take articles thus in detail, and that though not for any one, yet for altogether, we might be well justified in continuing the contest. I admit the justice of this reasoning, as receding step by step we might at last be obliged to give up some of our own colonies. He had severely censured the conduct of Gentlemen on the other side of the House, who assuming that the point on which the negotiation broke off was the only thing in dispute, asserted, that we were lavishing our blood and treasure for a spice island. A nation must draw a line in the spirit of moderation, and then firmly adhere to it. If the negotiation should afterwards break off, it will not be for any particular fort or island, but because no reasonable terms can be procured, and you fight to avoid dishonour. Thus has our Government acted. Would it not sound odd if a man, who had a nuisance at his door, and refused to bear a share in the expence of a litigation to remove it, should take upon himself the whole expence of removing a nuisance at a greater distance from him, when all those in that neighbourhood remained indifferent spectators? It has been said, that though on account of late events, it might have been scarcely justifiable

able at once to break off the negotiation, yet that we ought to have insisted on a compensation for the new acquisitions of the enemy. Sir, I would ask, whether the retention of all the islands we have agreed to restore would form any balance to the Continental power of France? They are not things at all of the same sort, and the danger would not have been in any degree diminished. France from her conquests gains direct strength—not through the medium of wealth. The West India islands produce weakness instead of strength. They do not increase our means of attacking the enemy, and they enfeeble, by dividing our means of defence. It was felt at Lisse that the West India islands could not be converted to this important purpose. In that case, even upon my principles, Government would be blameable. If they were a counterbalance in our hands, it would be most criminal to resign them. But the absurdity is so apparent, that it has never occurred to any one to reason in this strange manner. Sir, it was not material to retain a greater number of our conquests. If you had the power, you ought not to chuse to prevent France from having a large commerce to distant countries. This is the only hold we have upon her. Thus alone peace is her interest, and we are a terror to her. I am really anxious to know, Sir, what plan of operations, had these Gentlemen been in power, they meant to have pursued. As yet we have heard nothing of this kind even hinted at. We have been told of nothing more definite than “*Chance of events.*” Without any prospect of success, we should continue the war merely for the purpose of not being at peace. If this unknown event should not happen soon, we may be so much exhausted, as not to be able to take advantage of it. Suppose, Sir, that it should never happen. We are reduced to make peace at last on worse terms than the present, as with worse means we could not negotiate but with impaired effect. There are some Gentlemen opposite, who will say you have made peace wisely, because you have abandoned the object of the war. The object of the war has too often, Sir, been purposely confounded with the means of attaining that object. We wished to provide for our own safety from the immediate danger of French principles and French power, and to preserve, if possible, the balance of power on the continent, a matter in which our safety was materially though indirectly concerned. Can it be said that we have failed in the first? Sir, we are assembled here to-day, after a revolution which threatened our existence, and which has effected the destruc-

tion of almost all the surrounding nations, debating according to ancient forms, not concerning the losses we have sustained, not concerning ruined commerce, or curtailed dominions, but whether the additions to our territory are so great as from our splendid victories we were entitled to expect (*great applause*). In the other object, of saving Europe, we have certainly failed, but no disgrace can attach to the failure, as it is what, without the assistance of Europe, it would have been madness to have attempted. We cannot see these things without regret, but happily this regret is not embittered by the thought that we have left any thing undone to prevent them. However, the prospect is not on all sides equally gloomy; at one time our fears of French power were absorbed in terror of the desolating effects of French principles. Mr. Burke observed, that it would be better to be conquered by any other nation, than to have the French as neighbours. (The right honourable and learned Gentleman here quoted the well-known passage, where Mr. Burke represents the French as having made a breach with the community of Europe, on purpose to make all mankind submit to their dominion, &c.) It is some consolation, Sir, that France shews a disposition to re-enter the pale of civilised society. She is returning to order, to religion, and right principles, as fast as can reasonably be expected; much has been done during the last two years and a half, and a greater progress still would probably have been made, had the career of war closed at an earlier period. I have heard it stated, that though Bonaparte was the foe of Jacobinism in France, he was its friend in England. If he shall extirpate Jacobinism in France, whatever his deserts in other things may be, here he will prove himself a benefactor of the human race. When the fatal source from which it originally flowed is dried up, it may be hoped that it will for ever disappear, and that the world will recover from its ravages. Sir, I cannot believe that Bonaparte is animated with that implacable spirit towards this country. To pursue a rival with unceasing hatred and blind rage, often ends in self destruction. It is clearly his interest that Jacobinism should be every where crushed. If it flourishes in England, neither France nor any other country in Europe will be tranquil. The pride of Jacobinism (not the least distinguished feature in its character) would be interested above all to re-establish its throne in its original dominion. Bonaparte ought to wish with eagerness that it may be obliterated from the earth, and that its principles and
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modes of action may be forgotten for ever. While a vestige of it remains, his present Government must be insecure, and any other Government he may desire to establish. He was next to consider the value of Louisiana. From the observations of the honourable General, it was evidently useless, as a colony, and though it was in the possession of France for sixty years, he did not believe that during all that period they had gained, or we had lost, a fishing-smack the more. During the negotiations of 1761, when the country were in a situation to dictate terms of peace to France, Mr. Pitt (not a man unacquainted with the interests of England, or apt to neglect them) never once proposed to her to evacuate this possession. The Americans were injured! How could we be blamed for this? We had not found fault with the same arrangements when America was our own. Although the treaty of Utrecht had been renewed, it would not have touched this case, either in its letter or its spirit. The Master of the Rolls, after a few more observations upon this point, proceeded to point out the effect of the non-renewal of treaties. Upon this point, said he, I have heard positions laid down which fill me with astonishment. Those right honourable Gentlemen who profess to wish for an amicable arrangement, seem labouring to prevent it. Before they have any experience of the dispositions of France, they come forward and state claims she is likely to advance, which they themselves pronounce destitute of all foundation. They call for provisions, which by the same arguments might be proved completely nugatory. If the French are so ambitious, and so unprincipled as to disturb our established rights, in violation of all reason, common sense, and good faith, would not the treaty, about which they clamour, be a piece of waste paper. If more particular stipulations were immediately necessary, no treaty ought ever to have been concluded. We should either have remained at war, or we should now shew the confidence becoming a state of peace. Confidence begets confidence, and the suspicion of bad intentions often creates them. If we really do harbour suspicions, it is much better to conceal them. We justly reproached the Directory with always asking us for our terms, and still accusing us of insincerity. Surely this harsh irritating language would not tend to render us more sincere. —I am not at all sure of the ground on which the practice rests of the renewal of ancient treaties. I would not treat lightly an usage which has prevailed long among great and enlightened

enlightened nations. I am willing to suppose that there is some reason for it, which I have not penetration to discover. But I confess myself much at a loss, as in former times, even these treaties contained contradictory stipulations, and often had no object on which they could operate. I am not astonished that what is commonly known by the treaty of Westphalia is always willingly renewed by France. This is nothing more than brushing off the dust from a monument to her glory. She then struck a medal representing the Grand Monarque with a pair of scales in his hand, and the Imperial Crown in one scale, and the Crowns of the Princes of Germany in the other. She has assumed ever since the right of trimming them, and certainly is furnished with a pretext for acting as arbiter of Germany. From the language of these honourable Gentlemen one would have supposed, that in no instance ancient treaties had not been renewed, and that the inevitable consequence of the omission must be throwing the whole world into confusion. The practice, however, has been by no means so uniform. At Breda, I believe, there was no renewal of former treaties; at Ryswick, I believe, there was no renewal of former treaties; At Utrecht, I believe, there was no renewal of former treaties. Yet, Sir, Europe subsisted, the law of nations kept its ground, and justice did not for ever take leave of the earth. The triple alliance of 1717, and the quadruple alliance of 1718, were two of the treaties generally renewed. Upon what subjects can they now take effect? in several we have guaranteed the Crown of France to the House of Bourbon: with what grace would we propose the renewal of these to the Republic one and indivisible? You must at least have the mortification to confirm to France, directly and expressly, St. Domingo, Louisiana, and all her numberless acquisitions in Europe. This surely is not a thing you would go out of your way to do. You would renew treaties merely for the purpose of sanctioning the breach of them! This is surely not the best way to obtain an observance of solemn stipulations for the future. It may be said that some particular articles should have been extracted from the old treaties, and inserted in the treaty of Amiens. This may be very true, and the peace of Europe might thus have been better provided for; but this is quite a different accusation, and when it is brought forward distinctly, we shall be ready to meet it. Sir, it is not true that every treaty which is not renewed at the end of a war falls completely to the ground. Many treaties,

treaties, when once executed, are *functi officio*, and it is no longer of consequence what becomes of them. When a cession is once made to me, it becomes part of my dominion, and is exactly the same as if it belonged to me from time immemorial. There is not the smallest difference between that and my other territories. If the State to whom it belonged goes to war with me, it may be attacked and reconquered, but it does not revert back to that State upon the conclusion of peace. A King cannot say, "I give you territory to-day, and to-morrow go to war and say it is mine again." To apply this to the point on which so much has been said, viz. our right to cut log wood in the bay of Honduras. We did not even derive that right from treaty, we had somehow or other been long in possession of it. The words used are, that "Spain shall offer us no molestation," not that she grants or bestows. We occupied this district before the war—we occupy it still, and we have as good a right to it as to any part of the island of Jamaica. The language of the right honourable Gentleman and his friends, with regard to the East Indies, amazes most of all. They profess not to have the smallest shadow of a doubt concerning our rights, and being agreed among ourselves, we are debating whether we may not have a subject of debate. They allow that France must make application to us, yet they say no, go you to France, and state that there are certain absurd claims which they, acting against all reason and good faith, might up, and humbly implore that they would be graciously pleased to relinquish them. This is the most complete inversion of the natural mode of proceeding. Would they believe their claims to be so groundless when you showed such anxiety to get rid of them? Would they not demand some important sacrifice as the price of their acquiescence? But the definitive treaty simply stipulates for the restitution of the factories. If France were disposed to stretch the article as far as it would possibly go, the utmost she could demand, would be the advantages she enjoyed under the convention of 1787. The most liberal meaning of factories must be as they were before the breaking out of the war. I have heard of many disputes whether restitutions were made in the same state as the places were in before the war. But in my reading I have never met with a question like this: whether France might not be allowed to mount up through the whole process of ages to see whether, at some infinitely remote period, these factories did not enjoy greater privileges. At this

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rate they are in a better situation than if they had never been conquered. Our success in taking them was to be deplored, and our possessions in India would have been more secure had they never come to our hands. But I suppose, Sir, these gentlemen only wish to throw discredit upon the pretensions which, without any reason, they suppose France may set up. According to this system of diplomacy, Sir, every treaty must be a violence. Nothing must be omitted which the most lively and the most absurd imagination can conceive to come into dispute between the two nations. A negotiator must carry along with him as one of his suite, a person with a disturbed mind, whose duty it will be to consider what claims the opposite party may possibly set up, however contrary to the letter and spirit of the treaty, and whose ravings must afterwards be reduced into a diplomatic form. Sir, the address moved by the noble Lord has my most cordial concurrence. It seems to me to state the feelings and sentiments with which we ought to be animated. I trust that the principles on which we have acted on this memorable occasion will justify us to ourselves and to posterity. Let us pursue them, and while we express our loyalty at the return of peace, assure his Majesty that we will support him in his efforts to repress all encroachments on our rights commercial, maritime, and colonial. We shall thus preserve the blessings of tranquillity, or if we should be forced once more to draw the sword in defence of our independence and our honour, we shall shew the same spirit and magnanimity which has carried us through this long and awful struggle.

Dr. *Laurence* said, it was with surprise and regret he perceived how different the conclusions were which his right honourable Friend, who had just sat down, drew from the same facts, to those which he inferred from them. His right honourable Friend had, in concert with Gentlemen of the same opinion as to the treaty, put the question, how far this or that particular island would be a justifiable cause of war, and how far any event which had occurred in the interval between the signing the preliminaries and the conclusion of the definitive treaty, would be a good ground for breaking off that negotiation. It was the custom to put this question on each of those islands on events separately, without considering the joint effects of the whole; and still more, whether Ministers might not have concluded better terms? It was rather remarkable that the negative of this latter question was uniformly assumed, without the least evidence being

being adduced to shew that many of the disadvantages of the treaty arose, not so much from the want of skill and judgment in Ministers, as from the peculiar circumstances of the times. Gentlemen, in touching on the subject of Louisiana, seemed to keep aloof from any allusion to the Floridas, though they were also ceded to France, and were known to have many excellent ports and other important advantages. The noble Lord on the Treasury Bench had observed, that Louisiana was before in the hands of the French, and that it never was deemed of much consequence in value or produce; but the true reason of that was, that the French then turned their attention to Canada, and neglected the cultivation of Louisiana. If, however, the strength of France was such at present, that it would have been criminal in Ministers to delay the definitive treaty, on account of this or that particular place, how far would that argument go; and how far was it likely to operate upon us, when the strength of France should be increased by the consolidation of their resources? The noble Lord had observed, that during the negociation of the peace of 1763, the French privately ceded to the Spaniards this settlement of Louisiana, but that case bore no analogy to the late clandestine proceeding; it was not known until after the treaty was ratified, and the reason of the surrender was very well known; it was given over to the Spaniards as a purchase for Minorca, which the French were to transfer to us. The learned Gentleman endeavoured to place the arguments of Lord Hawkesbury in a different point of view from that in which they had been considered by others. He was quite dissatisfied with the arrangement respecting Malta; that Island should have been a grand barrier against France; it should not have been neutral, but ought to be a naval station well fortified, and able to assist us in interrupting the progress of any fleet that France might send out to attempt a passage to our Indian possessions. France professed five years ago, when she sent her first expedition to Egypt, that her principal object was to extinguish the system of its government and religion, as it was said, by the then Governors of France, to be the centre of superstition and aristocracy; and they could now boast of having accomplished their object—for the new organization of the constitution of Malta, left scarce a vestige of the venerable old system; it innovated upon all that time had consecrated; and the island itself, instead of being under one influence, was placed under a pic-nic gua-

rantee; the whole of this plan being prepared and carried into effect without the consent, or, in a great degree, the knowledge, of the knights of the order. He would not plead for the indiscriminate renewal of all our political and commercial treaties, but there were some which he thought it would have been wise to renew, and not to rely solely on the treaty before the House, in which nothing definitive was to be found, and yet it was to form the basis of the future system of Europe, the principles and practice of all former statesman, some of whom were as wise, at least in their own presumption, as the noble Lord, being totally rejected. The vessel of the State was to be thrown afloat on the ocean of politics and commerce, with no rudder but the very distinct and comprehensive treaty on the table. As to the commercial treaty of 1787, the noble Lord the preceding night stated, that this treaty was inconsistent with the alien bill. If so, we were the aggressors in the war; but that assertion was directly in the teeth of the arguments employed by his right honourable Friend behind him, when he proposed that law to the House before the war. He contended, on the whole, that Ministers gave up more for the hollow armed truce they had obtained, than they should have done had the war been unsuccessful throughout. Certainly it had been productive of much expence, so much, indeed, that when gentlemen adverted with any pride to the amount of our exports and imports, it would be curious to enquire whether that amount was equal to the interest on the national debt created by the war. Among the faults of omission, he reckoned as extremely culpable the state in which our merchants, who had settled in the ceded colonies were left, as to the removal of their property. If that had been judiciously provided for, according to ancient custom, we should now, without augmenting the miseries of the slave trade, be enabled from these colonies to furnish a sufficient number of negroes to cultivate our newly acquired island of Trinidad. These were the points to which the address referred: and surely a large and respectable body of the country was discontented with the loose conditions of the treaty. It would be a good opportunity of putting the sincerity of France to the test, by proposing some arrangement on these topics, before the restitution should be made. It had been often said in that House by the advocates of the peace, that it was called for by the public opinion—that the late Ministers advised it, and that the country received it with joy—but he had no hesitation in stating

it as his firm belief, that if a list of the concessions to be made to the enemy had accompanied the first news of the peace, instead of being the subject of exultation, even with the common people, the peace would have been received with strong murmurs of discontent. The people of England required to be led; they were influenced by the character of those above them, and that formed not the least part of their praise: they were capable of great exertions, and patient of suffering: they combined in their character the extremes of the good qualities of other nations: they were constant in their fortitude, loyal in their sentiments, and elevated in their spirit; they were above the idea of submitting to any peace that was dishonourable or disadvantageous, and they had too much good sense to value one that was insecure. If, from the imprudent temerity in which this treaty had been concluded, and the loose terms in which it is drawn up, hostilities should soon recommence, the fault will not be in the circumstances of the period at which the negotiation commenced, as asserted—not in the conduct of the predecessors of Ministers, but in the Ministers themselves; who entered upon the negotiation, and followed it up almost to a termination, without resorting to Parliament for counsel in any step of their progress in this very important undertaking. The consequences would be attributable to them, should those apprehended arise from a peace which left so much open for discussion, constituting so many grounds of dispute and discord.

Mr. Bond said, he could not at that late hour of the night enter at large into the subject now before the House, which had been so ably treated on that side of the House, particularly by his noble Friend the preceding night, and that night by his right honourable and learned Friend, who had displayed every thing which ingenuity, learning, information, talents, and eloquence could furnish. It was impossible for him to say that he could add any thing to what had been said already, upon that side of the subject; it would be the extreme of arrogance in him to suppose he could do so: he only begged leave to call the attention of the House to what he considered to be the real question. Gentlemen on the other side of the House, and his learned Friend who had just spoken, had displayed great ability; he would not say, whether they had or had not produced much effect upon the public, by the manner in which they treated the subject; he would not impute to his learned Friend, nor to any other Gentleman on that side of the House, any inten-

tion of making unfavourable impressions upon any persons who heard him, or upon the public, by the observations which they made, but certainly such was the tendency of their arguments. It was true, indeed, they professed to have no intentions to censure any body, but notwithstanding their professions, it was impossible not to perceive that the effect of all their observations was to convey censure both upon the peace and upon the Ministers by whom it was negotiated. He wished to know whether there was any fact by which it could be fairly concluded that better terms could be obtained than those in the treaty now upon the table? If there was not, why should the treaty be disapproved of, or its authors be deserving of censure in that House, or elsewhere? He was aware there could not be found matter of complaint either against the treaty or its authors. It was true, indeed, that the treaty could not be declared to be perfect; no treaty was ever so: nothing could be easier than for speculative men to form expectations in their closets, but to bring them into active life and reality, was often found impracticable. Such was the case in the present instance; innumerable difficulties must occur in the course of such a negotiation, many of which were incapable of explanation from their very nature; but a bare reference to which would be sufficient for the common sense of that House. He then proceeded to observe upon some of these difficulties, and said, that he was very far from intending to insinuate that the spirit of the people of this country was broken; but it must be admitted, that, from the circumstances of the war, they had wished for peace, nor was it unnatural they should do so. The great load of the national debt could not be forgotten; the pressure of scarcity which we had endured, in some instances bordering upon famine, were hardships which must have an effect upon the public: from the consideration of this, it was the business of every good administration to enter into negotiation, not that he meant to alledge that peace was a matter of absolute necessity, but it certainly was a matter of prudence. Ministers, in concluding peace, had, therefore, in his opinion, done every thing that prudence could dictate. That, however, was but half their work, the remaining part was to preserve entire our resources, to preserve, as much as possible, by wise measures, the spirit of the people, in order that if ever the evil hour should arrive, we should have the ability and disposition to oppose, with effect, the ambitious projects of our rival. It was by such preparations alone

alone that the prosperity of this country could be secured, which he heartily hoped, and confidently trusted, we should long continue to enjoy.

Colonel Fullarton said a few words in favour of the treaty.

Mr. Williams Wynne expressed himself dissatisfied with several parts of the treaty of peace, although he did not wish that the good faith of it should not be preserved: he reviewed the treaty, assigning reasons for his discontent, and shewing why, in his opinion, the House ought to adopt the address moved by his right honourable Friend.

The *Chancellor of the Exchequer* said, that in this exhausted state of the House, and, he could add, the exhausted state of the question, it would be unpardonable in him to ask the attention of the House for any considerable length of time; but there were some points to which he felt it his duty to call the attention of the House. He concurred with his right honourable Friend in opinion, that the turn of the argument of the right honourable Gentlemen on the other side of the House, amounted to this: that the definitive treaty now upon the table, was such as ought to be approved of. He concurred with his learned Friend, who, for the first time, he had had the happiness of hearing in that House, and whom he hoped he should often hear, that the tendency of the arguments of Gentlemen on the other side went to censure the peace, and to censure also those who advised his Majesty to enter into it. He hoped, therefore, he should be pardoned, if, notwithstanding the disclaiming of Gentlemen on the other side, and particularly a right honourable Gentleman who spoke towards the close of the preceding night's debate, the tendency of the arguments, whatever the intention might be, was to bring the peace into disrespect as well as to censure his Majesty's Ministers. His right honourable Friend, from whom the address proceeded, he was free to acknowledge, made his proposition from genuine principles, for they certainly were genuine, by which he had been influenced, not only in that motion, but during the course of the contest in which we had been engaged. He thought he perceived, from the proposition of his right honourable Friend, the same disposition which led him, some time ago, to declare in that House, soon after the preliminaries, his disapprobation of the peace altogether. That disapprobation he expressed in terms almost unqualified. He had declared his opinion against the power of France, and the usurpations of that power, and by the manner in which he made that declaration, he must have censured

censured the peace itself, as a death-blow to the prosperity of this country. He was truly convinced that his right honourable Friend, if he entertained the same sentiments; which he could never disguise, nor ever attempt to disguise, these sentiments went the length of considering that any peace with the present government of France was inadmissible. That he had signified when the peace was made, and before he knew the terms: he had then considered the peace itself as a death-blow to the prosperity of this country: this had always been the opinion of his right honourable Friend upon the subject, and that it was his opinion still, which he thought was pretty clearly expressed by the motion he made upon the subject. Other Gentlemen, he was persuaded, who concurred in the opinion that the peace was not such as this country had a right to expect, did not concur, however, with him in saying that peace ought not to be made at any rate; but his right honourable Friend had always gone the full length of saying, that any peace with France in its present state was inadmissible. He said this more readily, because the principles and the motives which actuated his conduct were truly honourable, and he could not help adding, that if the principles of his right honourable Friend, as expressed by the motion now before the House, were adopted, they could not fail, say, they must inevitably lead to a speedy renewal of the war. The question, however, now was, not whether a definitive treaty ought not to be concluded, but whether, being concluded, it was or was not a proper measure? He could not help observing, however, that although Gentlemen on the other side of the House had not said that this subject ought to have been discussed by piecemeal, yet they certainly conducted themselves on that principle, and had objected to the treaty by piecemeal; but Ministers had laid their claim to discuss the subject altogether, and that was, in his opinion, the wiser mode; it was, therefore, by no means his intention to enter into the minute particulars of the definitive treaty, he should rather take a short review of its general effect: indeed, there was not much necessary to be said by him—he had rather refer the House to what had already been said by his friends that night, and upon the former occasion. They had treated the subject with so much knowledge, so much talent, so much information, and so much eloquence, that little need be said in addition to what had been said already: He was ready to rest the defence of the measure upon what had already been said: he admitted that

that circumstances of a very great and important nature had taken place before the signing of the definitive treaty, and between the signing of the preliminary and that of the definitive treaty—points which required explanation; and there were differences between the preliminary and definitive treaties, which it would be proper for him to explain; and yet, having made all these admissions, he did not hesitate in asking the House this question, was it or was it not a treaty which, under all the circumstances, was fit for his Majesty to engage in? Was it or was it not, under all the circumstances, a treaty which it was wise in his Majesty's Servants to advise his Majesty to assent to? Having said this, there were two or three points which he should proceed to explain, in the course of which he should have to solicit the attention of the House. On the subject of Louisiana, he said he should say no more than appeared to be necessary, by way of answer to the danger which had been talked of by Gentlemen on the other side. In 1762, both Canada and Louisiana were in the possession of the French, when Great Britain had large possessions in America, and the possession of Louisiana and Canada was not enough to prevent Great Britain from being more than a match for France. Canada certainly being important, and Louisiana being now said to be so, they were nevertheless unable to make a stand against Great Britain. What was said to endanger us now, was the power of France in that quarter, but which was not equal to our own possessions and strength, and with the friendship, for this purpose at least, of an independent, and now become a powerful and populous country, namely, the United States of America. But with respect to another point, namely, the hazard which our commercial interests was exposed to in this quarter, as had been stated, thus stood the fact: There was a difference stated to exist between Louisiana and Fort Hillsborough. There was not in Louisiana a single port wherein a ship of the line could enter, and in the other a ship of the line could not anchor without taking out her guns. Nor was there any danger to our commerce in that quarter, from the cession of this place to France; the improvement which had taken place in making copper bottoms to our ships, and other circumstances, gave us other great advantages in that quarter, by enabling us to alter the course of our navigation, by going through the Windward Passage instead of the Gulf of Mexico, so that we should never be annoyed in that quarter by the French, in the manner in which honourable

of France and its power, by the transaction of Lyons, this country had abstained from making remonstrances, or from taking any step to signify to our adversary the feelings of his Majesty on that occasion? To this he would answer, that Gentlemen who argued a case like this, had many advantages over a person in his situation.—They would easily put questions to him which it was impossible for him to answer; and they might state obstacles which it was difficult, if not impossible, for a Minister to remove in the way of argument, in a manner that was at once satisfactory to those who made the objection, and consistent with the duty of the Minister. He would only say, that it was matter of great satisfaction with him and with the rest of his Majesty's Ministers, that they were determined, in the event of the failure of the negotiation, to have laid before the House every document they possessed upon the subject, and possess the House of complete information upon it.—He thought, after this, it would have been almost tautology in him to say, that he was at least satisfied it would appear by this information, the honour of this country was not tarnished by any thing that was done by his Majesty's Ministers in the course of this negotiation: he trusted it would appear by these documents, had it become necessary to shew them to the House, his Majesty's Ministers had felt, as they ought to feel, as British Ministers, and that their conduct was such as would have met with the approbation and support of that House. But if the question was put to him, he would answer it, not by any particular statement, but relying on what had been said already by his friends, who had stated the case in terms that were very forcible, that an attempt on the part of Great Britain to maintain alone the contest with France until her territorial power in Europe was abridged considerably, was an unwise measure. That the extent of that territorial power was matter of regret, was unquestionable. It could not but be matter of regret, but it was a lot which we had not the power of controlling—we were not to presume to say the bounty of Providence was to be dispensed in the way that was most consonant to our wishes. We ought to be contented with the conviction that we had abundant means of providing for our own security in a separate state and condition; but we were not able, under all the circumstances by which the greater part of the world was affected, to provide for that security on a large scale which connected us with the security of other powers; that depended upon events

events over which we had no controul. He could only say, he was astonished that his right honourable Friend (Mr. Windham) whose heart, he was persuaded, was deeply interested in these things, and even now cherished the hope, perhaps, of recovering all that had been lost in the contest, should not long ago have been satisfied with the arguments, or rather that his own enlightened mind should not have anticipated the arguments by which the expediency of making peace was demonstrable, and that even upon the very principle of his right honourable Friend himself, which was this, that if ever Austria and Prussia, and other powers, should recover the power, and regain the inclination of obtaining what they had lost in this contest: he was not saying that such a course would be advisable, but he was astonished that his right honourable Friend, who had this so much at heart, could not see that the only way to render this country able to give vigour and energy to such a principle was, to preserve the resources of this country from waste, and that nothing was capable of doing so, in an effectual manner, but peace. To a mind less capable of seeing the bearing of things upon one another, than that of his right honourable Friend, it might have appeared that peace was the only means by which we could become able to accomplish what he desired. He should rejoice to see the resources of this country economized, as he hoped they would by peace. "God grant," said the Chancellor of the Exchequer, "that peace may be preserved; it is not only my wish, but it is my earnest prayer, that we may long enjoy the blessings of peace, and that the conduct of France may be such, and that she may not use her power in such a way as to compel us to arm against her; but if war should again take place in two or three years, and I hate to state the supposition, I would say, however, that it will even then be matter of great consolation to every man in this House who has done every thing in his power to avert the calamity of war, that he had done so. I am well persuaded, however, that whatever may happen, it is the wisest course for us to preserve our resources at present, as much as possible, that we may the better be prepared, if that should be our lot, to exert ourselves with energy and effect: but I will go further—I do not know whether it will be satisfactory to my right honourable Friend or not—I will say, that if war be his object, we are pursuing the best course for it, by preserving our resources at a period when we have the opportunity of doing

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so; and, what is better with me, and which I own is my object, I know of nothing so likely to prevent a war, as that of being prepared to meet it; nothing is so likely to keep other powers from molesting us, as the knowledge that we possess the means of vindicating our rights. I think, therefore, that we should take care that we should not exhaust our resources when there is nothing to be gained by it. I think it would be very unwise to go on with a contest, when there is nothing to contend for that would be worth the gaining, and where there is much to be lost. Let it not be supposed, that because I say this, I am of opinion that I think the resources of this country have been improvidently employed—I am so far from thinking so, that I believe the very means by which we have obtained peace have arisen from the vigour with which we prosecuted the war. On this subject I should have been sorry to have been misunderstood, and therefore have said this to avoid it. The Chancellor of the Exchequer then proceeded to observe, that neither himself nor any of his colleagues had any plea of inadvertency for an excuse, if any part of the definitive treaty was defective in its provisions. He should think it highly unworthy to urge such a plea if he had it; but he said there was no such plea, for they had been guided in drawing the treaty, and all the provisions of it, on our part, by my Lord Eldon, whose knowledge, diligence, talents, and other excellent qualities, were too well known to render an enumeration of them necessary in that House. The treaty therefore, on our part, had all the advantages which belong to consummate understanding and the habits of professional accuracy in the construction of written instruments. He was thoroughly persuaded also, that in another branch of the negotiation he should be without excuse if the treaty was defective, for there never was a period when the business of the office in Downing-street was more ably conducted than at the present moment. He knew that some insinuations had gone forth upon the subject of the conduct of the negotiation. He knew there were some who had doubted the propriety of that selection; to whom he would say, that the able person here alluded to, not only conducted himself in a manner which conciliated affection, and attached personal respect, but shewed great wisdom, and exhibited a fresh and additional claim to the many he had before exhibited, for the affection and gratitude of the public. He said, he felt great anxiety to be spared the necessity of dwelling long on any topics

topics before the House, for which reason he referred to what had been said by his Friends on various topics connected with the subject before the House: as one of these, he begged to consider the point of the supposed growing power of France by way of commerce, and its becoming our rival in the way of trade. Upon this he could not do better than to rely on what had been said that night by his noble Friend behind him (Lord Castlereagh). He should observe, however, in general, that Gentlemen who had spoken against the treaty, had taken the parts of it which appeared to them to be objectionable, without touching those which they themselves must admit we beheld with satisfaction. They had forgotten that the preliminary articles were the result of the negotiation before the fate of Egypt was known, and, therefore, it had so much the more merit. [Here he entered on the subject of negotiation, and passed over the subject of Ceylon, Trinidad, &c.] He then proceeded to say, he was not disposed to enter at present into a comparison of power, and the probable result of it, as between Great Britain and France; but he could not help saying, it excited his astonishment that Gentlemen, in discussing these topics, made no difference between the probable effect of power acquired by violence, and that which was the effect of virtuous exertion. He knew that language had been held, the effect of which (although not intended), was to create in the minds of the people, sentiments that were very different from what they felt. Some Gentlemen affected to say, they believed the people of this country had altered their opinion in a great degree on the subject of this peace. He believed that the speeches and conduct of Gentlemen in that House had affected the inhabitants of the metropolis in some degree, and that this had appeared at both ends of the town, St. James's-street, and at the Stock Exchange. He did not make it a matter of charge against these Gentlemen, but this was certainly the effect of the manner in which they had treated this subject. He did not believe, however, that any effect was produced on the mass of the people of this country; he believed they hailed the peace as a blessing; and he doubted very much if the arguments of his right honourable Friend (Mr. Windham), were understood in the way he applied them, that they would have produced the effect they had produced. He believed the public at large agreed with his Majesty's Ministers, upon the propriety of peace, because there was no proper object for the continuance of the war; and that the people therefore earnestly wished for peace.

peace. Some felt a pressure on account of taxes, and were impatient for the peace, under a delusion into which they had been led, that peace would immediately lessen the pressure of those taxes; and many things had been attributed to the war of which it was not the cause, and among these was the high price of provisions, of which the war was very slightly indeed, if at all the cause. "With these feelings," said the Chancellor or the Exchequer, "I am convinced that the language held out by honourable Gentlemen in this House (from a sense of their duty, I have no doubt) may have an effect, for a time at least, on the people, to discipline them to the peace, and may have an effect on the continuance of it, unless counteracted. I should, however, be grieved if that were to be the effect of it. I am sure I speak the sentiments of every individual in his Majesty's service, when I say, it is our earnest wish that the blessings of peace may be continued, and we wish to take every measure consistently with the honour of his Majesty's Government, and the safety of the country, to preserve these blessings; and I am impressed with a thorough conviction, notwithstanding what has been said, that the probabilities of the continuance of the peace now concluded, are not less than the probabilities of the continuance of the different pacifications which have taken place at the various periods of the last century. I mean, if the country should be disposed to make provision for its own security, without which peace cannot be lasting. We must not suppose that France is free from the disposition of taking advantage of our weakness, if we should appear at any time to be weak; but let us guard against weakness; and take care to give to ourselves the security which we have the means of giving. By this course, we shall at once inspire ourselves with confidence, and discourage those who may incline to be our enemies. If advantage they can, advantage they will take: but I know nothing in the circumstances of the present time; I know of nothing in the disposition of the Government of France, nor in the disposition of the person at the head of the Government of France, that warrants any apprehension, that the peace now concluded may not be lasting. If this country is true to itself, I think a just expectation may be entertained, that it will be lasting. This country is now in a state of acknowledged strength, and indisputable power. It is on an eminence, and may continue so, by a fixed determination to pursue a right course, which is, not to invade the rights

of others, nor to suffer others to invade its own. By adopting the sentiment expressed in very correct words, by my noble Friend, (Lord Hawkebury) on a former occasion, that is by a system of conciliation and firmness, I am confident peace may be maintained, and the pre-eminence of this country preserved as high as it is at present. I can hardly wish it to be higher, but I trust it will never be lower. It is the wish of my heart, and it shall be my constant unremitting endeavours, to preserve, as much as I am able, the happiness of this country, which now is the admiration of surrounding nations."

Mr. *Shaidan*.—"Sir, at this late hour, (about two o'clock) it is with extreme reluctance I rise to address the House, and to trespass upon your time and patience. I shall not be singular to-night in the professions I make you of avoiding details; but, Sir, in one respect my conduct will differ from any other Gentleman's who has addressed to you. I will *keep my word*.—(*A laugh*). If I feel repugnance to rise at so late an hour, I feel equally strange with respect to the unpopularity which I fear I must experience. It is natural to every person to have pleasure in voting in a majority, though to that pleasure, I believe, I have long been a stranger. Among the strange things we are continually witnessing, is the strange division of parties at present in this House. Sir, I have heard it said, that there are about twelve or thirteen different parties among us; nay, some carry the number much farther. Now I scarcely expect a single vote with me beyond that little circle of a constitutional party who have for the last ten years been the objects of so much unqualified abuse; but those men who have so often been held up to public opprobrium, are the very same men whose every predictions has been fulfilled, and every fear realized. The discussion of this necessary, but disgraceful Treaty of Peace to-night, is a confirmation of the propriety of their political conduct during the whole course of the war. My friends must feel poignant shame and deep humiliation at the situation to which by these terms this country is reduced, but which they have laboured steadily to avert. Those who oppose this peace have been arraigned by the last speaker, as aiming at a censure on the issue of the negotiations, and on the ministers themselves. And certainly, Sir, their object is to condemn the peace, and to cast a slur on the abilities of his Majesty's ministers. But, in this conduct of theirs, they have at least the merit of being consistent. I support the peace, because I feel confident no better terms, considering all circumstances, could be got. Their predecessors

predecessors had taken care of that. They had left them no choice, but between an expensive, bloody, and fruitless war, and a perilous and hollow peace. They have chosen the best of the alternatives. Now, says the minister, they who oppose me, depress the country. I thank these *new* oppositionists for their manly firmness in coming forward, and opposing, upon their own principles, this degrading treaty. Let the people of this country be fully aware of all the circumstances of the peace. *They* have done their duty, then, in thus publicly discussing them. But a right hon. Gentleman—not here this evening—an Ex-Minister too—suspects something more. If he has not altered his opinion since the preceding day, he suspects their motives. They, says he, disapproved the treaty, and attack Administration, because they wish to drive out Ministers, and succeed to their places, and for that purpose they have formed a confederacy. Truly, Sir, a heavy charge! But, I must declare, that they have never veiled their opinions. Some of them especially have been at all times very open, and I conceive that it would be high injustice to suspect them upon slight grounds of a dirty cabal to turn out the present Ministers. Says the right hon. Gentleman, upon their principles, they would never have made peace. Why so, we have always said! It is now therefore confirmed, that a leading part of the late Ministry acted upon such principles. But the right hon. Gentleman (Mr. Dundas) the preceding day denounced their foul ambition, and their design to *trip up the heels of their successors!* Another great discovery is now made—These persons' principles were such as rendered a peace *impossible*, and yet the very men who say so, have just been *thanking them all*, as the *survivors* of the country!!! Can the right hon. Gentleman account for this inconsistency? I should think not; and yet he looks so confidently, I almost think he could. He thought I was cheering him as if I did not suppose him a constant supporter of the war, and he assures the House “he was a steady friend to it!” But he has now found out that is was necessary to stop. Pray; why not have stopped a little sooner? Why not before you were so much exhausted? For instance, when Bonaparte made you an offer? Now, however, he finds the necessity of peace. But is this such a peace as will give us real repose? Consider your debt and taxes, and the necessity which seems to be at length coming upon us of keeping up a peace establishment unknown in this country. It is lamentable to see *you all* split into *miserable parties*, when your *great enemy* is uniting every possible means of extending his power! You are squab-

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bling about the measuring of ribbands and tapes, and the paltry revenues of Malta, when much greater objects are before you! The events of every day seem to call more and more for the expression of that public feeling, that the time will come when French encroachments and oppression must cease, and when the voice of this country must be clearly raised against their atrocious and tyrannical conduct! The right hon. Gentleman says "we have preserved our *honour*!" Honour depends more on the manner of doing a thing than on the thing itself. We had a great armament at the time of negotiation, but I don't hear that it carried any point whatever! This, says he, is a peace in which we relinquish nothing, and gain much! Will any man of common sense undertake to prove that? I defy him to name the single *object*, ever varying, ever shifting, unrelinquished. What did we go to war for? Why, to prevent French *aggrandizement*. Have we done that? No. Then we are to rescue Holland! Is that accomplished or relinquished? No. Brabant was a *sine qua non*! Is it gained? No. Then come *security* and *indemnity*! Are they obtained? No. The late Minister told us, that with the example of a *Jacobin* Government in Europe, founded on the ruins of the holy altar, and the tomb of a martyred Monarch, was a spectacle so dreadful and infectious to Christendom, that we could never be safe while it existed, and could do nothing short of our very last effort for its destruction. Now, Sir, let us see what we have got. But what have we laid out for all these *sine words*, which at last gave way to *security* and *indemnity*? Why near 200,000 *lives*, and 300 millions of money! And we have gotten Ceylon and Trinidad. I should propose, that, as we have given to our heroes titles from the places where their laurels were won, our St. Vincents, Nelsons of the Nile, &c. so we should name Ceylon *Security Island*, and Trinidad the *Isle of Indemnity*!!! Now, if we look at the state of Europe, we find the Noble Lord opposite has a most curious and convenient epithet, which he applies to what is rather a disagreeable object to him (Lord Hawkesbury)! He talks of its being in an *uncomfortable*—Was it?—Oh no!—*unsatisfactory state*. Germany, Holland, Italy, they are all in an *unsatisfactory state*; and so I suppose is Switzerland, which now seems likely to undergo a division among her powerful and generous neighbours. That innocent and virtuous, suffering, venerable country is now, I suppose, in an *unsatisfactory state*! But Great Britain is all this time far from languor. She is in a *satisfactory state*. However, a grave and learned Gentleman (Master of the Rolls), tells us for

our comfort, that notwithstanding all that has happened, here we all are debating and doing business in *all the old forms and customs* of the House! Pray now, could not this have happened, supposing we had never gone to war? I think he should have made that out before he congratulated us so warmly upon our present debate under all the *old forms* of the House! The Minister, too, goes on according to *old forms*: he has his majorities, according to *custom*. Prussia can go on too in its old forms! Is this armed repose, this hollow peace, then, the fruit of our long and glorious war! A great deal too has been said to be gained by the disposition of France to lay aside Jacobinism. But the grand consolation of all, is in looking to Bonaparte as the *Extirpator of Jacobinism*. The learned Gentleman, however, states to this House, that it is the nature of Jacobinism, if driven from any country, always to look with pride and ambition to a settlement in the place where it had birth, and to fix itself there. So now, this "*Child and Champion of Jacobinism*," as he was styled, is to become a *Paricide*. The *Child of sin* is to *destroy his Mother*! As this Jacobinism is by the late Minister stated to be a vice *never* to be eradicated from the *bosom* when it has *once* been implanted, all Europe will, doubtless, look to this Great Consul for its destruction. Indeed, he seems very desirous of extending his care to his neighbours! Suppose you make him *King of Europe at once*, and he will soon extirpate all the Jacobinism that infests it! My alarms begin when the alarms of some persons cease. The great question about the dangers of the French Revolution were always upon the degree of the danger to be apprehended. Some danger was always allowed; but to suppose the people of this country so miserably infatuated as to fall in love with dirt, and blood, and guillotines, with all the atrocious deformities of the system of Robespierre, and that now when France is "*covered with glory*"—though certainly without liberty, or any thing that much resembles it—there should be nothing to dazzle and captivate, is out of my comprehension. If there be in this country men of dangerous ambition, Bonaparte is the man to hold out to them, by his ambitious and successful conduct, an example!—An example how much stronger than any thing that could attract the people in the exhibitions of riot and murder, unsociality and ferocity of manners! But they say—He has begged pardon of God and man by his piety and penitence!!! No; he has restored bishops with the salaries of curates, and made them all spies and informers in his favour by a solemn oath! He has made his own use of them all. How

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has he asked to Switzerland? How to us? Why, by condescending to receive our humiliating submission of every thing you had acquired by the prowess of your army and navy! I must trust to our valour to defend us against his armies; and I pray heaven to protect us against the effects of his *penitence and piety*! I must confess that nothing has been stated against this peace unaccompanied by proofs. I had rather given to France Malta, and taken the Cape, than have made this absurd arrangement. If the late Secretary for the War Department were here—who is perhaps (*looking at Mr. Pitt*) by *proxy*—he might have made a whimsical charge against the present Minister. *He* (Mr. Dundas) said, that “the Minister who should give up the Cape would *deserve to lose his head!!!*”. There sits the Minister, however, with his head safe upon his shoulders. I have almost a mind to attack him on the authority of Mr. Dundas! Malta would have been a great acquisition to us, and therein I agree with the War Secretary. It would have stood; with the British standard flying in the centre of the Mediterranean, “like a great sea-mark saving those that eye it!” Ministers say the Emperor of Russia would not take care of Malta. If they will tell me so upon *their honour*, I will believe them; otherwise, upon *my honour*, I won’t believe any body that says so. That did not appear to be Paul’s idea of it. Perhaps he was mad. There was, however some *method* in his *madness*; but, Sir, there’s a message Bonaparte has sent to his Tribunal concerning some Russian soldiers, who are to go and take good care of the Republic of the Seven Islands, and they may probably be intended for Alexandria, and may be connected with some plan against Turkey. Sir, if any *thing* in the *shape* of a *Statesman* will say in this House, that he looks at that power, “*at which the world turns pale*,” without apprehension, as the Minister seems to tell us to-night, I must say he has a prodigious *stock* of *courage*, or no *skill* at all in *politics*! But let France have colonies! Oh, yes! Let her have a good trade, that she may be afraid of war, says the learned Member! that’s the way to make him love peace. He has had, to be sure, a sort of military education! He has been abroad, and is rather *rough company*; but if you put him behind the *counter* a little, he will mend exceedingly! When I was reading the treaty, I thought all the names of foreign places, viz. Pondicherry, Chandernagore, Cochin, Martinico, &c. all *essentials*. Not they: they are all so many *traps* and *holes* to catch this silly fellow in, and make a *merchant* of him! I really think the best way upon this principle would be this: let the merchants of London open a *public subscription*, and set

him up at once! I hear a great deal respecting a certain *statue* about to be erected to the right hon. Gentleman (Mr. Pitt) now *in my eye*, at a great expence. Send all that money over to the First Consul, and give him what you talk of so much, *capital*, to begin trade with. I hope the right hon. Gentleman over the way will, like the First Consul, refuse a station for the present, and postpone it as a work to posterity. There is no harm, however, in marking out the place. The right hon. Gentleman is musing, perhaps, on what square or place he will choose for its erection. I recommend the *Bank of England*. Now for the material. Not gold: no, no! he has not left enough of it. I should, however, propose *papier maché* and old bank notes! Ministers recommend us to make France commercial, for the sake of peaceful habits; and then tell us how impossible it is for her to increase in trade and commerce, for want of the necessary credit and capital. There my prospect was damped. I was going now to India, but I remember I promised to avoid detail. I must keep my word. There was some *Northern logic* here last night—something specious—a kind of *Northern lights*—pretty enough to look at, but not very useful, about our possessions having a better security in India without than with our enemy's recognition of our rights. This, I confess, I cannot understand. The right hon. Gentleman asks, whether they would have been justified in breaking off the treaty? That's a question between him and those who like the preliminaries; but it is otherwise with those who like neither. The Secretary at War (Mr. Yorke) has said, Bonaparte will look at us with "a *soldier's eye*." I think he will with that of a *statesman*! Now the City Militia, and some other corps, are disbanded, it is not exactly a spectacle for a soldier's eye. One cannot walk along the streets without hearing doubts expressed of the nature and security of the peace! And the next great inquiry is, "Pray who is Minister now?" Is there, then, an Interior and an Exterior Prime Minister?—one who appears to the world, and another secret, irresponsible, directing Minister? Certainly in several respects I have given my testimony in behalf of the present Ministers. In nothing more than for making the best peace, perhaps, they could, after their predecessors had left them in such a deplorable situation. But the present Ministers continue to identify themselves with the former. They have ministerially supported a refusal to inquire into the state of the country; just as they were about to take the government they have passed an *indemnity bill*, and since that a *security bill*, in a resolution of thanks;

thanks; and these are the only *indemnity* and *security* required!!! The Ex-Ministers are quite separate and distinct, and yet they and the new Ministers are all *bon. friends!* What is the meaning of this mysterious connection? Why don't the Minister defend his peace as the only good grounds of defence? Does he hold that situation only to make peace, and leave it for his predecessor? Do they bargain for support on one side of talent, and on the other of power? No Minister of this country ever condescended to act under such an incomprehensible connection, and to receive such equivocal support! Part of the case is clear. If the late Minister attacks the treaty, the present would turn round and say—"You brought me into a situation of necessity—You compelled me to sign a *disgraceful* treaty—You had been arrogant, and I have put up with indignity—Bonaparte, by his Minister, Otto, would laugh at me!—This work is yours—You placed us in this sad dilemma!" The Minister takes no strong ground of defence: I won't say he dare not take it. There he sits to receive the *attack* of the *new confederacy*, who are not great in numbers, but in talents. The Ex-Minister is mounted on a kind of *hill fort* to fire down on the *assailants*, but the *garrison* is all manned with *deserters* from the principles of the war! I should like to support the present Minister on fair ground; but what is he? a sort of *outside passenger*—or rather a man leading the horses round a corner, while reins, whip, and all, are in the hands of the coachman on the box! (*looks at Mr. Pitt's elevated seat, three or four benches above that of the Treasury*). Why not have an union of the two Ministers, or, at least, some intelligible connection? When the Ex-Minister quitted office, almost all the *subordinate* Ministers kept their places! How was it that the whole family did not move together? Had he only one *covered waggon* to carry away friends and goods? Or has he left directions behind him that they may know where to call? I remember a fable of *Aristophanes's*: it is translated from Greek into decent English. I mention this for the country gentlemen. It is of a man that sat so long on a seat (about as long, perhaps, as the Ex-Minister did on the Treasury-Bench), that he grew to it. When Hercules pulled him off he left all the sitting part of the man behind him! The House can make the allusion. This is not a noble, manly kind of coalition between these gentlemen. Of that Ex-Minister I would just say, that no man admires his splendid talents more than I do. If ever there was a man formed and fitted by nature to benefit his country, and to give it lustre, he is such a man. He has no low, little, mean, petty vices.

vices. He has too much good sense, taste, and talent to set his mind upon ribbands, stars, titles, and other appendages and idols, of rank. He is of a nature not at all suited to be the creature or tool of any Court. (*Mr. Pitt bowed repeatedly*). But while I thus say of him no more than I think his character and great talents deserve, I must tell him how grossly he has misapplied them in the politics of this country, I must tell him again how he has augmented our national debt, and of the lives he lost in this war. I must tell him he has done more against the privileges of the people, increased more the power of the Crown, and injured more the constitution of his country than any Minister I can mention. Of the resignation of the late Ministry, I don't believe one word of what is said about Catholic emancipation. I could as soon believe it was because they had discovered the longitude. If they did go out on that ground, they were certainly at liberty so to do. But after they quitted their situations they circulated a paper in Ireland, attributing the failure of an indispensable measure to resistance in a certain quarter, and that quarter was their *Sovereign*, and directing the Irish Catholics to look to *them* for hope of relief. If this was short of high treason, how far short of it I cannot define. If, however, that measure was necessary to carrying on hostilities, we have certainly done right so far in making this peace. Mr. Sheridan concluded with stating, that he considered it fair to those who had entertained the sentiments he did, of the rise and progress of the war, to record the real grounds on which we approve of a peace, the terms of which are so inadequate and so insecure. Supposing that Mr. Windham's motion would be rejected, he had framed his in such a manner as to come as an amendment to Lord Hawkesbury's; and, according to the precedent of the other, might make it in the shape of a resolution, by leaving out all the words of the address but *that*, and then proceed:

"It is the opinion of this House, That the omission of various opportunities of negotiating a peace with advantage to this country, and more especially the rejection of the overtures made by the Chief Consul of France, in January, 1800, appears to this House to have led to a state of affairs, which rendered peace so necessary, as to justify the important and painful sacrifices which his Majesty has been advised to make for the attainment thereof."

Mr. Tierney, in a short speech, explained the reason why he could not, however desirous of giving a vote in favour of the peace, vote for the amendment which the noble Lord had proposed. It contained certain expressions about the dangerous designs

designs of the enemy, which seemed to imply a justification of the war, which he had ever thought it his duty to oppose as unnecessary, ruinous, and unjust. The credit of the country, too, was spoken of in terms which did not appear to him consistent with fact. Unless these words were expunged, he was determined to vote against the amendment, however reluctant he was to do any thing which at all looked like a disapprobation of the conduct of Ministers, in bringing to a successful termination the work of peace.

Lord *Hawkebury* explained.

Mr. *Curwen* said, he would give the peace his most unqualified support.

Mr. *Grey* spoke to the same purport. He thought that, under all the circumstances of the nation, Ministers did right in concluding a treaty of peace, but he could not consent to vote for an amendment which implied an approbation of that war which he ever had reprobated, and ever should reprobate, as unjust in its origin, calamitous in its conduct, and disgraceful in its termination.

Mr. *W. Smith* also said, he was sorry he could not vote for the amendment, though he approved of the Minister's conduct in concluding the peace. He said, it had been contended that the original address was not a censure upon his Majesty's present Ministers, but it appeared to him not only to be a censure, but a very strong one. He then proceeded to refer to the journals, to shew that the censure proposed upon the peace of 1783 was not so strong as the one now proposed.

Mr. *Hobhouse* tried to vindicate the consistency of his conduct in voting for the amendment, though he had opposed the war.

Mr. *Whitbread* said he could not vote for the amendment, though he approved of the conduct of Ministers in making the peace.

Mr. *Bauverie* expressed similar sentiments, and said he should propose an amendment.

Mr. *Windham* said, that after the very full discussion which this subject had undergone, he should not take up the time of the House by entering into a general reply. He then commented upon some of the observations which had fallen from Mr. *Sheridan*, and concluded with saying, that, though the address which he had moved might, in some degree, be construed into a censure on the conduct of Ministers, yet, it certainly was not his intention to condemn them for their conduct.

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The House then proceeded to divide on the address as originally proposed. The numbers were—Ayes, 20; Noes, 276—Majority, 256.

Mr. Sheridan's amendment, as well as one by Mr. Bouycric, was negatived without a division.

The question was then put on Lord Hawkesbury's amendment, which was carried without a division.

Adjourned.

LIST OF THE MINORITY.

Lord Folkstone	Mr. Windham
— Morpeth	General Lennox
— Bruce	Mr. T. Gambier
— Kensington	Charles Dundas
Sir W. W. Wynn	Dr. Laurence
C. W. Wynn	Benjamin Cooke
Thomas Grenville	Mr. William Elliott
Charles Ellis	Mr. Poyntz
George Ellis	Mr. Baker
Sir W. Young	William Chamberlayne

TELLERS.

Lord Temple General Gascoyne.

Lord Temple prefaced his motion (on the 6th of May) for papers relative to Malta, with stating in a speech of considerable length, as reasons for the production of these papers, the change which had been made in the formation and constitution of the order; the loss of the revenues anciently belonging to the Knights; the imperfect guarantee which was obtained for the neutrality of the island; and the intrigues which were, and would be carried on by France to obtain possession of an object of such importance as Malta. His Lordship then proceeded to consider the usurpation of the Italian Republic, and the cession of Elba; on both which subjects, he dwelt with great force of argument. The conduct of this country, with regard to objects of such importance, had not, he contended, been what it owed to its power, its interests, and its honour. In contrast to our present conduct he opposed that of the nation at a period of difficulty, distress, and disaffection. In support of his observations, his Lordship read the following passages from the report of the Ministers to King

King William the Third, in the year 1698, with Mr. Burke's statement of the conduct pursued by that Sovereign under such painful circumstances.

"So far as relates to England, it would be want of duty not to give your Majesty this clear account, that there is a deadness and want of spirit in the nation universally, so as not to be at all disposed to enter into a new war. That they seem to be tired out with taxes to a degree beyond what was discerned till it appeared at the last elections. This is the truth of the fact on which your Majesty will determine what resolution ought to be taken."

His Majesty did take and did pursue his resolution. "In all the tottering imbecility of a new Government, and with a Parliament totally unmanageable, he did persevere. He persevered to expell the fears of his people by his fortitude, to steady their fickleness by his constancy, to expand their narrow prudence by his enlarged wisdom, to sink their factious temper in his public spirit. In spite of his people he resolved to make them great and glorious, to make England, inclined to shrink into her narrow self, the arbitress of Europe, the tutelary angel of the human race. In spite of the Ministers who staggered under the weight that his mind imposed upon theirs, unsupported as they felt themselves by the popular spirit, he infused into them his own soul, he renewed in them their ancient heart, he rallied them in the same cause."

HOUSE OF LORDS.

MONDAY, MAY 17.

Several public and private bills were brought up from the Commons.

Lord *Holland* moved, that the Lords be summoned for Wednesday next, in order to take into consideration a question arising out of the 130th standing order of the House.—Ordered.

It is understood that the noble Lord's motion relates to the eldest sons of Irish Peers.—Adjourned.

HOUSE OF COMMONS.

MONDAY MAY, 17.

The Temple-Bar and Snow-Hill improvement bill was read a third time and passed.

The London coal-market regulation bill was read a second time, and committed to a private committee.

On the motion for the third reading of the Abingdon road bill, a division took place.

Ayes 65—Noes 23—Majority 42.

The bill was accordingly read a third time and passed.

Ordered, on the motion of Mr. Burdon, that copies of the accounts presented for the last ten years by the Chamberlain of London of the produce of the orphans' fund be referred to the committee on the London coal-market bill.

Mr. Alexander brought up the report of the committee on the mutiny bill, which was agreed to; and the bill ordered to be read a third time the next day.

The subaltern officers militia bill was reported. The Secretary at War proposed several amendments, among which was one that a certain allowance should be granted to the militia surgeons attached to their respective corps during peace. After some remarks by Lord Belgrave, the several amendments were agreed to, and the bill ordered to be read a third time the next day.

The report of the marine mutiny bill was agreed to, and the bill ordered to be read a third time the next day.

The yeomanry volunteer service bill was read a second time, and committed for Wednesday.

The election oaths regulation bill went through a committee, and the report was ordered to be received the next day.

The English militia bill was re-committed. The Secretary at War moved some new clauses, one of which was, that instead of an adjutant to the small corps, consisting only of two or three companies, a serjeant major should be appointed, in order to save expence.

After some conversation between the Secretary at War, Sir W. W. Wynne, Lord Stanley, and Sir William Elford, the several clauses were agreed to, and the report was ordered to be received the next day.

The House in a committee, went through the lottery bill; the report to be received the next day.

Mr. Corry gave notice, that on Friday next he should bring forward the business of the finances of Ireland.

Mr. W. Eliot said, he would move the navy estimates in the committee of supply on Wednesday next.

The House, in a committee of supply, agreed to a resolution for granting allowances to the subalterns of the Irish militia in the time of peace.

The House in a committee resolved, that the duties on refined sugars exported should cease and determine.

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The bill for the protection of letters sent by post, and the post-horse duty bill, were read a third time and passed.

SINKING FUNDS.

The *Chancellor of the Exchequer* said, that in referring to the order of the day, relative to the consolidation of the sinking funds, as he understood it was the intention of those gentlemen who meant to observe upon this subject to postpone their observations until the bill should be in a committee, which he hoped it would be the pleasure of the House to allow to be introduced, he would not now waste the time of the House by entering into any particular statement of the merits of this measure, but he wished it to be understood that it was not by any means inconsistent with that plan for the reduction of the national debt, which had heretofore existed, and which had received the approbation of that House and the country: so far from it, that should the resolutions he had to submit be adopted by the House, he proposed to follow them up by a motion, for leave to bring in a bill to amend and render more effectual the several acts for the liquidation of the national debt.

The first resolution being moved, a conversation arose, in which Mr. Boyd commented upon the calculations, professing to approve of the general principles of the project.

Mr. Pitt corrected the misconceptions of the last speaker, particularly with regard to 120,000l. annually applicable to the reduction of the national debt, which, by the accession of compound interest, would amount to much more than that honourable gentleman seemed to suppose. Upon another part of the calculations before the House, the honourable gentleman's opinion was also erroneous; for instead of one hundred and fifteen millions, as the honourable gentleman mentioned, one hundred and fifty millions would, in a certain time, be applicable to the reduction of the debt, including in that the ninety millions lately thrown upon the debt by the repeal of the income tax, and other causes. The effect of the proposed arrangement would, in fact, have this advantage, that it would put the country in a situation to borrow sixty millions, should there be occasion, without being worse circumstanced from such a loan, than we should be under the old sinking funds, should no such loan have taken place.

Mr. Tierney said, the proposed plan might operate much good, should things go on smoothly for forty years, of the period mentioned in the calculations. These calculations,

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however, he did not think the House ought entirely to rely upon. In his opinion, it would be better to appoint a committee to consider the subject altogether, and that the calculations of such a committee would be more entitled to attention than those of any individual.

The *Chancellor of the Exchequer* replied to the observations of the honourable gentleman (Mr. Boyd), and contended that it was apparent from a review of the calculations, that though the plan he had to submit would not be productive of immediate advantages, yet that the effects would be within a given time to promote the liquidation, and ultimately to produce the extinction of the national debt.

Mr. Pitt said the effect of this plan would be to improve and invigorate the sinking fund, and enable the country more effectually to support any struggle in which she might hereafter be engaged, than ever she could be if the plan was not adopted. The annual saving of 900,000*l.* must form a powerful resource against the exigencies of any future war. There certainly would be a period in which the debt would be less rapidly discharged, than by the old method; the progress in the beginning would be slow. The question then was, the time when the quantity of stock to be bought up, according to the present plan, would be greater than by the old sinking fund? From the best calculation he was able to make, that effect would begin to operate in about fourteen or fifteen years time. Fifteen or sixteen millions would then be in the hands of the commissioners, and be applicable to the public service in case of a new war.

Mr. Tierney wished the House might be in possession of calculations shewing the progress of the sinking fund towards paying off the debt, according to the new plan that was to be adopted; and what the progress would have been if no such alteration took place; also to what period the country would be a loser by the new plan, and at what time the loss might be made up.

The *Chancellor of the Exchequer* said, that calculations, such as the honourable gentleman alluded to, would be made out pursuant to the wish he expressed; and would be laid on the table of the House in a few days.

The several resolutions were then agreed to; and the report ordered to be received the next day. Adjourned.

HOUSE OF LORDS.

TUESDAY, MAY 18.

Counsel was heard in the Scotch appeal, *Halliday v. Maxwell*. Further hearing deferred till the next day.

The Marquis of *Sligo* laid before the House the patent of Lord Ashton; and at the same time moved a resolution, that it be the opinion of the House that Lord Ashton had made out and proved his title to vote as a Peer of Ireland.

Lord *Auckland* thought it would be necessary to lay some document before the House to prove the title in question.

The Marquis of *Sligo* said, he had laid the patent before the House, which he considered a sufficient document. His Lordship at the same time assured the House that he would himself answer for the truth of the statements contained in the patent; and that it was the patent by which Lord Ashton had been created a Peer of Ireland. The resolution was then agreed to.

The Marquis of *Sligo* presented petitions from Lord Clonbrock, and other Peers of Ireland, praying to have their titles admitted as Peers, and that they might be allowed to vote accordingly. The petitions were referred to a committee of privileges.

The bills on the table being read in their stages, the House adjourned.

HOUSE OF COMMONS.

TUESDAY, MAY 18.

The further consideration of the report of the clergy-residence bill, and the second reading of the bill to prevent bull-baiting, were put off to Monday next.

The militia subalterns' allowance bill, the marine mutiny bill, and the Liverpool exchange bill, were read a third time and passed.

The new militia regulation bill was reported, and ordered to be read a third time the next day.

On the motion of Lord *Glenbervie*, it was ordered, that the House do resolve itself into a committee the next day, to consider of so much of the act of the King as relates to the granting of licences to persons trading to the East Indies and the South Seas.

The Irish election bill was withdrawn, in order that another in an improved state might be introduced.

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The House in a committee went through the Scotch poor bill. The report was ordered to be received the next day.

Mr. *Alexander* brought up the report of the committee on the sinking funds. The resolutions were agreed to, and bills were ordered pursuant thereto.

The medicine duty bill was read a first, and ordered to be read a second time the next day.

The House resolved itself into a committee on the auction duty bill. On the motion of Mr. *Vanittart*, resolutions were adopted to exempt from the duty on auctions and estates bought in by their owners or agents, and goods imported in British ships from America, or the British colonies in the West Indies, on their first sale.

It was also resolved, that the drawbacks allowed on soap and starch used in the woollen and cotton manufactories, should cease and determine. The House resumed, and the report was ordered to be received the next day.

Mr. *Wycombe* gave notice of his intention to move for leave to bring in a bill to enable his Majesty to accept the services of certain Irish volunteer corps, during peace, under certain regulations.

COTTON MANUFACTORIES.

The House having resolved itself into a committee on the cotton apprentice bill,

Lord *Belgrave* wished that the provisions of the bill should extend to children employed in cotton manufactories, who were not apprentices.

This was opposed by Sir *Robert Peel*, on the ground that manufacturers could have no controul over those who were free-labourers.

Mr. *Burton* conceived it was even more necessary to adopt some regulations with regard to this description of children, than apprentices. Numbers of young boys, who had the liberty of going about where they pleased, led a life of depravity, vice, and licentiousness. Some of them were fastards, whom no parents would own; and others were sold by their unfeeling parents, compelled to work in close and unhealthy places, perhaps the greater part of the night, when it was necessary that youth, in order to arrive at the vigour of manhood, should enjoy wholesome rest. Here they were brought up in ignorance of every thing except the practice of vice. He had occasion, while sitting as Judge in the county of Chester, to try several boys of this description, who had been charged with capital offences. It appeared

peared that they used to go and rob barges on canals: that they used to go in great parties to fairs, and with the utmost dexterity and management commit depredations, some having kept watch while others were thieving. There were hundreds of these criminal and unhappy wretches: and it was absolutely necessary to provide by law, that their habits and morals, so destructive to themselves and to society, should be corrected.

—Sir Robert Peel observed, that such a regulation ought to be the subject of a distinct bill.

Lord Stanley proposed an amendment, that the words "or other children employed in any of these manufactories" should be added.

Sir Robert Peel considered the merits of the bill already substantially filed in a former debate, to prevent the proposition of an amendment so inconsistent with its spirit.—The amendment was withdrawn.

Mr. Fawcett wished that the clergymen to be appointed visitors under this bill, should be those of the church of England.

Mr. Stansfeld conceived that such a regulation would be very unfair toward those dissenters who were proprietors of manufactories.

Mr. Wilberforce said, that it was understood that the rectors and curates of the several parishes in which manufactories were situated, were to have the right of inspecting them; and that he supposed would answer the desire of the honourable Gentleman.

An amendment was adopted, that in case of a certain number of manufactories being situated in a district of certain extent, the magistrates may at quarter sessions appoint visitors, if magistrates shall not be resident within a convenient distance of such manufactories.

On the motion of Mr. Burton, a clause was introduced, that a medical person shall be added to the visitors, but that he shall not be permitted to enter any rooms in which machinery may be placed.

After several other amendments of little importance being adopted, the report was received, and ordered to be further considered on Thursday.—Adjourned,

HOUSE OF LORDS.

WEDNESDAY, MAY 19.

Counsel was heard in the Scotch appeal, *Halliday v. Maxwell*, which was ordered to be further considered next day fortnight.

Lord *Holland*, after a few words, postponed his motion respecting the 130th standing order of the House till Friday next, when their Lordships are ordered to be summoned.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, MAY 19.

The bill for regulating the measurement of coals in the city of Westminster was read a second time, and ordered to be committed.

In a committee of ways and means it was resolved, that the allowance to subaltern officers of the Irish militia in time of peace, be defrayed out of the consolidated fund.

The House in a committee directed the chairman (Mr. Alexander) to move for leave to bring in a bill to permit persons to fish in the Pacific Ocean, without a licence from the East-India Company, &c.

The election oaths bill was read a third time and passed.

The Irish mariners' bill was read a second time, and ordered to be committed the next day.

The field crops bill was committed, and ordered to be reported on Wednesday.

The patent medicine bill was read a second time, and ordered to be committed the next day.

Mr. *Irvine*, from the Custom-house, presented several accounts relative to the duties on logwood, &c.

The *Attorney-General* gave notice, that the next day he would move for leave to bring in a bill for renewing the police act; and also for leave to bring in another bill to regulate aliens.

Mr. *Corry* laid before the House several accounts relative to the Irish revenue, and moved that the 26th report of the commissioners of the treasury in Ireland be printed, which was ordered.

Mr. *Sturges* moved, that the papers relative to the island of Trinidad, laid before the House by the Chancellor of the Exchequer, be printed.—Ordered.

Mr.

Mr. *Wilberforce* moved, that the accounts relative to the slave trade presented to the House on the 13th of April be printed.—Ordered.

Mr. *Vansittart* brought in a bill for granting new bounties on refined sugar exported, which was read a first time and ordered to be read a second time the next day.

Mr. *Carry* gave notice that on Friday he would move, that the House do resolve into a committee on the petitions for the relief of certain retail dealers in Ireland, who pay duties on English goods imported.

CORONERS' BILL.

Mr. *Charles Dundas* moved, that it be an instruction to the committee on the coroners' bill, to make provision for fixing the residence of coroners. This motion occasioned some conversation, but it was ultimately withdrawn.

The House then went into the committee.

Admiral *Berkeley* was very willing to agree to the allowance of ninepence a mile additional to the coroners, provided it was given at the option and under the direction of the magistrates at the quarter sessions. This measure seemed to him to have the effect of sanctioning the charge of 1s. 6d. a mile, made by inn-keepers for posting, which, since the fall of hay and oats, was certainly far too much.

Mr. *Wigley* said, that the whole allowance to the coroners, after this addition, would only be 1s. 6d. a mile for the journey, both going and returning. It might, therefore, be considered as 9d. the mile only.

The committee divided on this and other clauses, in consequence of which strangers were, for a considerable time, excluded. The bill was then ordered to be re-committed.

AUCTION ACT.

The report of the committee on the auction duty act was brought up and taken into consideration.

Mr. *Dew* thought that something should be done to prevent the fraudulent practices of persons who set up sham auctions, and recommended the imposing a higher duty for that purpose.

Mr. *Vansittart* admitted the necessity of putting a stop to the practices the honourable Gentleman had alluded to; but no clause of the kind he had suggested could be inserted in the bill it was intended to bring in, unless it were previously adopted in a committee of ways and means. The proposition was, however, worthy of consideration, and might be made the subject of another bill.

The report was then agreed to, and a bill conformable to the resolution ordered to be brought in.

THE NAVY.

The House resolved into a committee of supply, in which the following sums were voted, viz.

76,201l. for the ordinaries of the navy, for one lunar month, from the 21st of May.

71,878l. for the extraordinaries.

109,000l. for the transport service, and maintaining prisoners of war.

2000l. for sick prisoners of war.

The report was ordered to be received the next day.

IRISH BUDGET.

Mr. *Corry* informed the House, that as several Gentlemen, who were desirous of being present when he should bring on the Irish budget, could not attend on Friday next, he begged leave, for their convenience, to postpone that business to Monday.

DEBTORS' BILL.

Mr. *Wynn* could not think of bringing on any discussion on the debtors' bill, in a House so this as the present. As the Irish budget was postponed, and as the other important business (we supposed Mr. Canning's motion relative to the Island of Trinidad) which stood for that day, would probably be deferred also, he should propose to fix the order of the day on the present bill for Friday next.—Adjourned.

HOUSE OF LORDS.

THURSDAY, MAY 20.

ELECTION TREATING BILL.

The order of the day for the second reading of the election-treating bill, on which their Lordships were summoned, being read, the bill was, on the motion of Lord Alvanley, read a second time accordingly; but on a motion from his Lordship that the bill be committed,

The Lord Chancellor left the woolsack, and at length stated his reasons for disapproving of the measure; he expressed his surprise that none of these noble Lords, who were friendly to the bill, had come forward and stated their reasons why the bill should be adopted by their Lordships; it appeared as if it was thought the bill ought to pass as a matter

matter of course, and with as little observation as an ordinary inclosure bill: for his part, he thought the bill involved serious and weighty considerations, and as such, merited the best attention of that House.—The Bill, he thought, extended much farther than was the intention of the act of King William, from which it originated;—the latter went to disqualifying persons who were convicted of the offences constituted by the act, at that election, respecting which the offences were committed;—the present bill goes to extend that penalty to future elections.—The offence which was the principal object of this bill was one of a very indefinite and uncertain nature; the charge, which was hard to be disproved was easily to be made, and it afforded too great a temptation and facility in persons whose minds were heated by election contests, or possibly actuated by worse motives, to come forward, particularly in large places, and make the charge founded upon such facts as might implicate the best intentioned and most innocent persons. Another objection which struck him was, the regulations proposed by the bill with respect to petitioners, and sitting members: the latter were disqualified in consequence of the decision of the committee in the first instance, whereas the petitioners, who may be as much implicated in the offence as the sitting members, were afforded the opportunity of a second trial. But what he disapproved of the most highly, and which he considered as a very strong measure was, the rendering a decision of a committee of the House of Commons, conclusive evidence. On the objectionable tendency of which, as well in a constitutional as in a juridical point of view, his Lordship expatiated with much force and effect. Whether such a bill was fit to be farther proceeded with, their Lordships were to decide; but he was certain, that some time should intervene before it passed through another stage, in order to give their Lordships time to turn in their minds a subject of such serious importance.

Lord Alton said, he did not, as a friend to the bill, feel himself at all called upon to enter into any defence of it, before he had heard the arguments of his noble and learned Friend; and notwithstanding the objections that the House had just heard made, he must still contend in support of the bill, that it was highly necessary to fix and ascertain a practice which the House of Commons, and (since they so honourably voted themselves improper to exercise the right of trying election cases,) their election committees had, almost

without exception, adopted from the very time of the passing the act of King William. The circumstances of its being sent up from the House of Commons, and relating to the subject of the right or eligibility of persons to sit in their House, was, he thought, sufficient to attract the attention of their Lordships, though not a word had been said in its behalf; and that it had attracted their attention was evident from the order to have the bill printed. He thought the measure was highly creditable to its supporters in the other House, whose sole object was to preserve its purity. He observed, that the bill went no farther than to declare that which, in a great majority of instances, was held to be the sense of the act of King William. With respect to the conclusive decision of the committees of the House of Commons, on which the learned Lord laid such a stress, he observed, it was a necessary regulation—the bill would be nugatory without it—the law on this point should be uniform and general. His Lordship instanced the determination in the case of Aldborough, which happened soon after the act passed, under the name of Mr. Grenville's bill. He then enumerated the case of General Smith's conviction of bribery at the Hendon election, and his subsequent re-election. The case of the Thetford election, and various other boroughs, to be found in the election reports of a noble Lord (Lord Glenbervie), in which the same rule of incapacitation was adopted, till he came to the case of Norwich, where the decision of a select committee was grounded on very opposite principles. Now, he would ask their Lordships, if it was fit that there should be one law for Thetford and another for Norwich? Surely it was high time that some legislative rule should be enacted, in order to render the decisions of select committees uniform, and founded on known principles. He said no man entertained a higher respect, or a more affectionate regard for Mr. Grenville's bill, but he did not conceive that the present bill, when some few necessary alterations, which he should himself propose in the committee, were made in it, would be any violation of the spirit of that wise and advantageous measure. The House would recollect that the bill came up from the House of Commons, and related solely to the elections of their own Members. It was, therefore, entitled to great attention from their Lordships, and he hoped that they would not decide upon it without at least suffering it to go into a committee, as they might debate it fully on the report.

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The *Earl of Rosslyn* said, he thought it required a great deal of serious consideration before their Lordships agreed to do so strong a thing as to constitute a select committee of the House of Commons a Court of Criminal Judicature. Exclusive of such a committee having neither a judge nor jury, and wanting several other of the essential forms of a court of law, their decisions were always private, a circumstance at once revolting to the mind of an Englishman, and repugnant to the practice of every court in Westminster-hall. Besides, of what was this new jurisdiction to convict a man? Of an undefined crime. Bribery was a crime, and punishable as such at common law, but what was *treating*? Could any body define it? Was it a cheerful entertainment at an election? Was it a glass of ale, or any refreshment administered to a voter on the road to the place where the election was to take place, when he was hot and covered with dust or dirt? And who were to be the witnesses to convict a seated Member of having been guilty of *treating*? The electors themselves, actuated by all the heat and prejudice that a contested election never failed to impress their minds with. His Lordship reasoned upon these considerations with great acuteness and strength of argument, putting the possible case of the witnesses, on whose evidence a person was convicted by a select committee of the House of Commons, being afterwards convicted of having been guilty of perjury, in giving that very evidence. Where and how was the incapacitated Member to obtain his remedy, if the evidence before a select committee of the House of Commons were to be declared conclusive and final.

Earl Romney said, he had been a member of the other House for many years, and had often been on the select committees to try elections. That he could bear testimony to the uprightness and equity of their proceedings on these occasions, and thought that the House in having voted themselves improper to hold the power of deciding upon elections, had done themselves the highest honour. His Lordship said, that notwithstanding what had fallen from the noble and learned Lord on the Wootton Bassett, and the noble and learned Lord next him, he must think that a bill which came from the House of Commons, and the object of which turned upon regulations relating to the election of their own members, was entitled to every possible respect and attention in that House, and he must concur with the noble and

and learned Lord opposite to him (Lord Alvanley), that there wanted some bill like the present, in order to render the decisions of select committees of the House of Commons uniform, for nothing could be more unjust than that there should be one law for Thetford and another for Norwich. Canterbury and a petty Cornish Borough ought to have their contested elections decided by one and the same principle of law.

The Marquis of Buckingham rose to say a few words in defence of a bill which had been one of the last acts of a long and useful life of a near relation of his (his Lordship's own father). He said the constitution of select committees had been formed with the utmost precaution and jealousy. Their powers were limited, and every possible guard placed around the exercise of them. It became, therefore, a consideration of great moment, whether a structure of so much delicacy should be touched at all or not. He dreaded any attempt at extending the powers of that bill to which he alluded, lest the best objects of it should suffer. He complimented his noble and learned Friend near him (Earl Rosslyn) on his having more than any man proved himself the sincere friend of that bill. He had been the father of its being rendered a permanent law. He agreed, his Lordship said, with his noble and learned friend, that *treating* was an undefined offence. His noble and learned Friend had asked if it was a glass of ale handed to an elector in the way to the place of election? He would put the strongest possible case: Was it a glass of wine handed to an elector by a Peer, who, not by any legislative law, but by a resolution of the House of Commons, was restrained from interfering in elections? His Lordship concurred with Lord Rosslyn and the Lord Chancellor in several other points, and concluded a speech of some length with declaring that, he could not conceive how an opposition to the bill, or not suffering it to go to a committee, could be a mark of disrespect, either on the part of an individual Peer, or of the House collectively, to the other House of Parliament—for his own part, as he most decidedly disapproved of the bill *in toto*, he must naturally be hostile to its proceeding any further.

Lord Ellenborough strenuously defended the present bill, contending that it gave no new power to the select committees of the House of Commons, neither did it extend their jurisdiction one iota. His noble and learned friend near him

him had complained, as well as the noble Marquis, that treating was an undefined crime. The present bill did not state the whole of the act of King William, which he had referred to and read that morning; and, if any other of their Lordships would take the trouble to refer to it, that they would see in the margin against one of the clauses, the words "giving money and great treating." Now, *giving money* was a criminal act that comprehended every species of bribery, and *great treating* was something more than the mere handing of a glass of ale to an elector. His Lordship laid considerable stress on the right of the House of Commons to regulate the election of their own Members, and to empower their select committees to decide upon the right to a seat, and the impropriety of a Member convicted before a committee, of bribery and treating, being allowed "to go out at once and immediately return through the other," as his noble and learned Friend (Lord Alvanley) had styled it: and concluded with expressing a hope that the House would suffer the bill to go into the Committee, and to discuss it when it should be in a more perfect shape, after the necessary amendments should have been made in it.

Lord Pelham deprecated the argument, that because the bill came from the House of Commons, and referred to the trial of the right to the seats of their own members, their Lordships were not entitled to give it a full and free discussion. He would assert the contrary doctrine, and must acknowledge himself adverse to the bill. During the whole time that he had sat in the House, he had looked with jealousy on every bill, the object of which was the disqualification of a member to be elected after having lost his seat. He conceived that the true intent and meaning of Mr. Grenville's bill was to invest the select committees with the power of deciding upon the right to the seat in the special election contested before them, and nothing more. Entertaining that sentiment, he should vote against the bill's going into a committee.

The question was then put, "That the House do now resolve itself into a committee of the whole House on this bill."

The House divided—Contents 6; non-contents, 7.

Lord Alvanley then moved, "That this House will on Tuesday next resolve itself into a committee of the whole House on the said bill." Negatived without a division.

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The *Lord Chancellor* immediately moved, "That this bill be rejected." The House divided—Contents 6; not contents 7.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, MAY 20.

On the motion of Mr. Bragge the West India dock bill was ordered to be recommitted.

Mr. Alderman Combe presented a petition from the sugar coopers of the city of London against the sugar drawback bill, which was referred to the committee to whom the bill is referred.

On the motion of Lord Glenberrie an address to his Majesty was agreed to, praying for an account of the proceedings of the commissioners for the redemption of the land tax.

Mr. Alexander brought up the report of the committee of supply, the several resolutions of which were read and agreed to.

MILITIA.

Mr. *Secretary Yorke* moved the third reading of the English militia bill.

Mr. *Bryan Cooke* thought that the increase in the numbers of the militia was totally unnecessary, and that the only effect of it would be to create a useless expence to the country. He condemned the practice of making the militia establishment a resource for recruiting the army, and viewed the present bill as giving new facilities for this purpose. After all the labour which gentlemen of property and consideration in the country employed in bringing the militia to a respectable state of discipline, it was hard that they should be turned into drill serjeants for the regular service, and that men should be "under a liability to volunteer against their will." He had objections also to the bill on the ground that it would be a difficult matter to get a number of officers sufficient for so considerable an increase in the establishment.

The *Secretary at War* regretted that the honourable Member's objections had not been brought forward in an earlier stage of the bill, when an opportunity would have been afforded of considering their force with greater attention. They appeared to him, however, of a description which militated

militated against the fundamental principle of the militia establishment more than against any specific provision of the present bill. As to the objection, that the number of men to be raised was too great, he had to remark, that it was not greater than the actual number of the militia at the time they were disembodied. The object of the bill was not to raise 60,000 men in the first instance. By the provisions which it established, only 40,000 were to be raised at this time, and all that it provided for in the way of increase was to empower his Majesty to increase the number to 60,000, if the exigencies of the public service, or the aspect of public affairs, should make such an augmentation expedient. It ought to be considered, besides, that in the year 1756 a bill had passed the House of Commons, and been carried to the third reading in the Lords, by which 60,000 was the number to be raised. It appeared too from history, that so far back as the reign of Charles the Second, the number of the militia was 60,000, and with the great increase in the population of the country which had since taken place, he could not see that the number now proposed was any solid ground of objection. He begged leave to disclaim, on the part of government, any intention to recruit the army by any draughts from the militia. This was formerly resorted to under circumstances of extraordinary exigency, such as there was no immediate reason now to anticipate, and to the recurrence of which the bill, he could assure the House, had no sort of reference. But even supposing that such an emergency should occur, it would be necessary to receive the consent of the Legislature before his Majesty could receive any offers from militia regiments to go into the regular service; and before this approbation could be received, Gentlemen would have a full opportunity to state their objections to the measure. In this view he was at a loss to conceive how any valid objection could be adduced against the bill. To the objection against the bill, from the difficulty of obtaining a sufficient number of officers, he had only to reply, that no such difficulty did exist, and that at the time when the militia were disbanded, there was a very inconsiderable number of vacancies.

The bill was then read a third time, passed, and ordered to the Lords for their concurrence.

The committee on the yeomanry bill was postponed from the next day to Monday.

The lottery bill was reported, and ordered to be read a third time the next day.

The *Attorney General* obtained leave to bring in a bill to repeal the existing acts respecting aliens, and to substitute other provisions in their room.

Mr. *M. A. Taylor* rose, not with a view of offering any opposition, but of expressing a hope that no provisions would be introduced into the bill which would at all tend to create ill will betwixt this country and the powers with whom we were lately at war.

The *Chancellor of the Exchequer* remarked, that there was nothing, he was confident, either in the principle or the provisions of the bill to be introduced, which could in the smallest degree produce that effect, which no man, he was sure, more deprecated than himself.

The *Attorney General* likewise obtained leave to bring in a bill to repeal the existing laws respecting the police, and to introduce others in their room.

He took occasion to state that one object of the bill would be to increase the allowance to superintending magistrates, and to establish an augmentation in the number of constables.

Mr. *Wilberforce* said a few words strongly expressive of his approbation of the proposed regulations to be introduced into the bill. They were objects, in his opinion, equally necessary and important.

The House resolved to go into a committee of supply the next day, for the purpose of voting a sum from the consolidated fund for defraying the expences of the police establishments of Middlesex and Surry, if such a sum shall be necessary.

On the motion of Admiral *Berkley*, the consideration of the report of the committee on Dr. Jenner's petition was fixed for Tuesday.

CONTESTED ELECTION BILL.

Mr. *M. A. Taylor* moved the committee on the bill for the better regulation of the trial of contested elections.

The House accordingly resolved into the committee, and the bill was read a first time. The chairman proceeded to read the clauses separately, which passed without observation, till he had read the clauses respecting the appointment of nominees.—This called up

Mr. *Banks*, who, pursuant to the notice he had given on a former day, rose to move that this clause should be omitted. In a speech of some length he stated the reasons which, in his judgment, called for such an omission. He took a view of the circumstances which had originally given rise to the
insertion

insertion of the clause in the Grenville act, and contended that it was a matter of necessity, and not choice, with those by whom that celebrated act was framed. It was contended by the opponents of the act, that cases might occur where there might be a committee of thirteen Members, chosen by ballot, who from their inexperience in business of that kind, might be unqualified to try the merits of a cause judicially; it was to obviate such an inconvenience that the clause in question was introduced. That its introduction had been productive of many inconveniencies, he conceived, was a position which few people would be disposed to dispute. It was an ungracious task to particularize the case in which the appointment of nominees had led to an unjust decision; but that such cases did exist, he imagined there could be very little doubt. It would not be denied that the nominee on each side was put in as the friend of one of the parties, and he asked, whether this was a situation in which a sworn judge, in a cause which might involve interests of the dearest and most valuable kind, ought to be placed? He dilated a good deal on this idea, shewing how very powerfully friendship and prepossession inclined him to a decision contrary to the solemn oath by which he was bound. He alluded to the case of an individual being selected merely from his strong attachment to a particular party, and begged the House seriously to consider what chance there was of impartiality under such circumstances. The motives to such a decision might be of the strongest kind, and it was expecting a great deal too much from human nature to think that strict justice would be able to triumph over the influence of prejudice, of friendship, and violent attachment to a party. After dwelling with much force on these points, he touched on the practice adopted in the Irish Parliament on this subject, shewed, that twenty years ago they had abrogated the appointment of nominees, and that the best effects had attended this change. He concluded by moving, that the clause be omitted.

Mr. *M. A. Taylor* lamented that the clause which his honourable Friend meant to submit to the House in the room of that proposed to be omitted should have been brought forward in the prospect of being introduced into the present bill. He thought that it ought to have made the subject of a separate bill, where its merits might have been more fully canvassed. The object of the present bill was merely to give expedition to the provisions of an act,

justly the object of universal admiration; whereas the motion now brought forward had in view the amputation of what was generally reckoned an important limb of that bill. He thought that the objections adduced against the clause proposed to be omitted, were founded in a mistaken view of its tendency. So far did the appointment of nominees appear to him to be inconsistent with strict impartiality, that it seemed requisite to the ends of substantial justice. It was impossible to state a single instance in which any decision of the committee could with any propriety be censured; on the contrary, they had given universal satisfaction. A great deal had been said of the nominees encouraging a false decision from the bias of friendship; but he could not but contend that this was pushing the force of friendship much farther than facts would warrant. He himself remembered two instances in which the nominees had voted against those by whom they were appointed. It was not their province to influence the decision which might ultimately take place. They had only to take care that every part of the examination was conducted with fairness, and in this view he thought that they were often of singular utility.

Mr. *Harrison* said, he had never felt any difficulty in acting between his duty and his friendship as a nominee; nor did he believe any just ground could be advanced for leaving out the present clause.

Mr. *Wilberforce* supported the arguments of Mr. Banks with regard to the impropriety of the situation in which gentlemen were placed as nominees. He said, that in such a judicature it was extremely improper to introduce the least temptation to do wrong; that the delicacy of friendship was sufficient to lead a man astray, even without himself being conscious of it, and that the very singularity of those instances which had been introduced to shew that the ties of friendship did not always overcome a sense of duty, was the strongest proof that it very frequently did so.

Mr. *Bragge* maintained that the advantages of having nominees greatly outweighed the disadvantages. It might often happen that the thirteen appointed by the House should be quite unfit to decide the difficult and abstruse questions which come before them. He denied that there was any analogy between the committees and courts of justice. If the judges of the King's Bench were young men just come of age, and placed in their situations for perfectly different purposes than to administer the law, it might per-
haps

haps not be a bad thing that they should have two assessors in each cause appointed by the parties. The nominees were not advocates, and from considerable experience he could say that they did not act as such. Their office was to see that the case was fairly tried and decided. If the committee were all of one party, and had no check upon them, they might often act most corruptly. He believed that by means of the nominees, decisions had been more upright and more enlightened.

Sir *James Sinclair* said it was impossible, in the present state in which they had been introduced, to decide upon the validity of the objections urged against the clause, he should, therefore, until a more ample opportunity of discussion was afforded, consider himself bound to vote against any alteration of the clause as it stood at present.

Mr. *Simeon* was against introducing a clause of so much importance into this bill, which had been introduced for a quite different purpose; but he approved of the clause itself, and spoke at great length in support of it.

After some further conversation between Mr. Bragge, Mr. John Elliot, and Mr. Wilberforce,

Mr. *Leigh* proposed, to obviate the objections of all parties, to allow the nominees to sit in the committee, but to take away their vote.

The *Chancellor of the Exchequer* thought, the suggestion of the Hon. Gentleman (Mr. Leigh) liable to great objections. It would be acknowledging, on the part of the House, the nominees to be advocates, and would leave them so much at liberty, that they might plead as advocates for their respective friends, as if they were pleading in the character of professional advocates. With respect to getting rid of the nominees, he thought there was an error in the arguments on that side, in coupling the friend with the nominee, as considerations wholly distinct from friendship—merit frequently actuated the choice of nominees who were chosen, because they possessed tried talents, legal knowledge and parliamentary experience, in order that they might bring fully and fairly before the committee the various points on which that committee was to decide. He could not consent to innovation unless some great practical inconvenience was stated at the ground of it. If, however, it was the opinion of gentlemen, that Mr. Grenville's act required amendment, it would be much better to bring in a bill

bill which should embrace the whole of the amendments which might be thought necessary, than to mix them with this measure, which was merely to ensure dispatch in the execution of that act, and which must be impeded in its course, if any of these amendments were attempted to be grafted on it.

Mr. Wilberforce, Mr. Bragge, and Mr. Simeon, again spoke.

A division at last took place, and there not being 40 Members the House adjourned.

HOUSE OF LORDS.

FRIDAY, MAY 21.

Mr. Adam was heard on an appeal cause from the Court of Session, Mathews and others *v.* — Cadel, Esq. and others; after which the further hearing was adjourned to Tuesday next.

Three public and seven private were brought up, and presented by Mr. Alexander, the Marquis of Worcester, Mr. Shaw Lefevre, Mr. Lascelles, and others, and read a first time.

On the motion that the manure bill be committed to a committee of the whole House,

Lord *Holland* rose, not, he said, to oppose the bill altogether, but to state his reasons why the farther progress of the bill should be postponed. He expressed his disapprobation of the practice, too prevalent of late, of recurring to the Legislature on occasions not of sufficient importance to engage its attention, or on subjects of such a nature, as that Members of Parliament in general could not be supposed to be sufficiently conversant with. Having thus reprobated the great and unnecessary multiplication of bills on low and trivial subjects, wholly unworthy of their Lordships' attention, he said, so many bills came up from the other House, which legislated in insignificant articles, that it was high time to call their Lordships' attention to them. Under the same words as he saw in that bill, viz. "By the Winchester bushel," they had repeatedly been the instruments of doing mischief, through inadvertently letting them pass as matters of course. Only last session, after a select committee of that House had sat for some months upon an object and inquiry of great importance, viz. the scarcity and dearness of provisions, they had passed a bill, which early in the present session they were

were on the sudden called upon to repeal, by passing a bill in such haste, that even the common forms of the House could not be attended to, in order to save the people from being poisoned; he meant the bread act. It seemed by the bill which he held in his hand, that their Lordships were called upon to rake the dunghills to find some subject to make a law upon. All insignificant and unnecessary bills, not only were bad in themselves, but affect and diminish the importance and respect due to wholesome statutes upon necessary objects of fit legislation already on the statute book. As it was not likely that their Lordships, from their noble natures, should be very familiar with the contents of the dung cart, which was the object of the present bill, it ought to have been explained to the House, in the first instance, and unless very strong reasons were urged to shew the use of passing it, he should strenuously oppose it at the proper time for discussing it. At present, in order to allow himself time duly to judge of its importance, he moved that the order of the day be discharged, and a new order made for Wednesday next. Ordered.

The consideration of the standing order, No. 130, was adjourned to Wednesday next. Adjourned.

HOUSE OF COMMONS.

FRIDAY, MAY 21.

The Speaker informed the House that he had received a letter from Lord Hutchinson, dated Turin, May 8, acknowledging the receipt of the letter conveying to him the thanks of the House of Commons, and expressing the sense he entertained of the high honour which had been done him.

The Speaker likewise intimated that he had received letters from most of the colonels of militia and Lord Lieutenants, in answer to those he had written them pursuant to the orders of the House.

A petition from the Sun Fire Office was presented against the Kent insurance bill; and

Mr. *Shaw Lefevre* moved, that the second reading of the bill should be postponed till Tuesday.

After some conversation between Mr. *W. Dundas*, Sir *Ed. Knatchbull*, Sir *W. G. G. G. G.*, and Mr. *Wigley*, the House divided, when there appeared—Ayes 26, Noes 20.

The lottery bill was read a third time, and passed.

The House then went into a committee on the Irish linen bill.

IRISH LINEN MANUFACTURE.

The House having, on the motion of Mr. *Foster*, resolved itself into a committee on the Irish linen bill,

Mr. *Wickham* observed, that as the law now stood, the collector at each port summoned a jury of three competent persons to examine the flax seed imported, in consequence of which examination he branded it either as good or bad. The linen board having found this mode of examination imperfect, proposed as a remedy to appoint an officer of their own in each port, with power to examine and decide upon the quality of all flax seed imported. He was of opinion that the power of examining and deciding upon the quality of the flax seed imported, should not be given wholly to the inspector appointed by the Linen Board, but at the same time that the collector should not brand any flax seed until the same should be certified to him by the officer appointed by that Board. He concluded by proposing an amendment to this effect.

Mr. *Foster* observed, that this was a measure of considerable importance, as the maintenance of a great number of families in Ireland depended upon the importation of good flax seed. He wished that the inspectors appointed by the Linen Board, should be wholly responsible to that Board for the goodness of the seed imported. The right honourable Gentleman (Mr. *Wickham*), had proposed that the inspector should examine it, but that the collector should brand it. The brand was a test of the goodness of the seed: if the right honourable Gentleman thought the collector should brand it, and receive a fee, he (Mr. *Foster*) had no objection, but let the inspector brand it also.

Mr. *Beresford* defended the collectors from any imputation of neglect of duty. Several articles, he said, might be smuggled concealed amongst flax seed, and it was important that the collectors should examine it for the purpose of discovering those articles, if any such there were.

Mr. *Foster* observed, that the power would remain to the collectors to search for smuggled goods, whether this bill passed or not.

Mr. *Beresford* and Mr. *Foster* explained.

Lord *Castlereagh* said, that the amendment, with a little alteration, might be made to meet the ideas of both parties. The Linen Board, in order to prevent bad flax seed from being imported, had thought it a proper measure to have inspectors ;

spectors; but it would be going too far to say, that the King's officers should not also inspect: he thought that the inspector and collector would be checks on each other, and that the duty would be better done. A very simple alteration was required, which was, that each should brand the flax seed, and then there would be a double security for its goodness: this alteration would, he thought, answer the object of both parties.

Mr. *Wickham* professed himself perfectly satisfied with the amendment proposed by the noble Lord. Every attention had been shewn by Government to the Linen Board; all that was desired by that body was, that the flax seed should not pass into the country without a certificate from the inspector that it was sound: perhaps the amendment of the noble Lord might better answer that purpose.

Mr. *Alexander* thought it essential that the collector should act with the inspector.

Mr. *Stewart* thought it highly probable that the amendment proposed by the noble Lord would answer both purposes.

Mr. *Corry* said, that when this subject was before under consideration, he had stated the observations that occurred to him, to which he now begged leave to recall the attention of the committee, in order to shew that the vote he should give was perfectly consistent with the principles he had before maintained. He then stated, that there was reason to believe that the duty which was to be performed by the collectors had been in some cases negligently performed. In saying this, he could not be supposed to make any charge against the collectors personally; but though he acquitted them of any act of commission, yet he still thought that in some cases there was an omission of their duty, in not sufficiently attending to the mode of the examination of the flax seed. He therefore thought that some arrangement was necessary. He wished to express his willingness to accede to the principles of the Linen Board, which was to call in the inspectors of that Board in aid of the collectors. He had reserved himself on that occasion upon two points; the first was with regard to the patronage of the crown, the other related to the tax to be laid upon the public, in order to form a compensation to the collectors, who were to continue to be paid, although they were to be absolved from the performance of the duty. By the mode now proposed, the patronage of the Crown remained entire; by the present mode

no tax was to be laid upon the public, in order to furnish a compensation for persons who were not to perform the duty. These points being settled, he felt himself at liberty to concur in the arrangement proposed for continuing the collectors with the aid of the inspectors of the Linen Board. Being thus at liberty, according to the principles he had before advanced (and which by no means went the length that had been insinuated, of throwing blame upon the collectors), he should accede to the plan now proposed. With regard to the amendment, he understood it to be, that the inspector should put a stamp upon the cask, whereas by the amendment of his right honourable Friend (Mr. Wickham), the inspector was to give a certificate to the collector, upon which he was to brand the cask. What was the difference between the two plans? In substance none: by the first amendment, the branding depended upon the certificate of the inspector, the collector being only a ministerial officer. In the present case, the inspector, instead of a certificate, which is to be filed in the Custom house, was to affix a mark with a hot iron upon the cask. These regulations were in effect the same, but if the plan now proposed, of branding instead of certifying by the inspector, was more generally agreed on, he was willing to concur in it, and the more so, as it was perfectly conformable to the opinion of the committee above stairs.

Lord *Castlereagh* contended, that the brand was superior to a certificate, and was a better protection against the probability of unsoundness in the seed.

Mr. *Corry* said, the certificate must specify the mark and number of the package, and he thought it would be equally efficacious as a brand.

Mr. *Dawson* said, he had heard nothing to convince him that the bill in its original state might not have answered every purpose that was wanted.

After a few words from Mr. *Ormsby*,

Mr. *Foster* suggested the propriety of reporting progress, and asking leave to sit again,

The *Chancellor of the Exchequer* said, it must be the wish of the right honourable Gentleman, and of every one to ensure dispatch to this measure, and therefore he thought it would be better to go through the committee, and bring up whatever clauses were to be proposed on the report, as a stage would be thereby gained.

A short conversation ensued between Mr. Foster, the Chancellor of the Exchequer, Mr. Wickham, and Mr. Hobhouse (the Chairman), when, it being found that one of the amendments proposed went to enact a penalty.

The *Chancellor of the Exchequer* observed, that no provision enforcing a penalty could be proposed on the report.

After some further conversation between Mr. Foster, the Attorney-General, and the Chancellor of the Exchequer, it was agreed to report progress, and ask leave to sit again.

The House being resumed, Mr. Hobhouse reported progress, and the Committee were ordered to sit again on Monday.

The *Attorney-General* brought up a bill for establishing certain regulations respecting aliens, instead of those enacted by several acts of Parliament; which was read a first time, and ordered to be read a second time on Monday, and to be printed.

The new police bill went through a Committee, in which it was ordered that the salaries of the Justices, &c. should be paid out of the Consolidated Fund. The report on Monday.

Mr. *Dawson*, after observing that the Irish courts of law bill must materially affect every man of property in Ireland, wished to know if the honourable Gentleman who introduced it had it in contemplation to press the bill this session?

Mr. *Leigh* said, that it had only been deferred in order to obtain the opinion of a great law authority upon its merits; and that, as far as depended upon him, the second reading should not be postponed after Tuesday next.

The refined sugar exportation bill was read a second time, and committed for the next day.

Mr. *W. Wynne* next moved the order of the day for taking into further consideration the report of the bill for further extending the Lords' act.

Mr. *Nicholls* objected to entering upon so important a discussion in so thin a House.

Mr. *Wynne* observed that the progress of the bill had been day after day deferred for that reason, and that as there were now present more than 40 Members, he did not see why the business should not be proceeded on.

Mr. *Nicholls* then entered into a variety of objections against the principle of the bill, which, he contended, was a wide deviation from what had been sanctioned by the wisdom of our ancestors, and concluded by moving, That the report be taken into further consideration this day three months.

Sir *H. Mildmay* rather concurred in opinion with the hon. Gentleman who spoke last, and wished at least that the bill might be re-committed, for the purpose of getting rid of what was most objectionable in it.

Mr. *S. Harcourt* was against the bill, as of a most obnoxious tendency.

Mr. *Burton* proposed that the Committee should be gone into for the purpose of passing the three clauses which he conceived were not objectionable. The remaining clauses were such as, in his opinion, could not be acceded to, and he hoped the honourable Mover would consent to wave them, for the sake of obtaining the assent of the House to the other clauses.

Mr. *Harrison* looked upon the bill to be equally contrary to the feelings of humanity and to the principles of the constitution, and was surprised that a young man should be rash enough to attempt so flagrant an innovation in the law as it now stood.

Mr. *W. Wynne* thought the attack made upon the bill, and upon the person that introduced it by the hon. Gentleman (Mr. *Harrison*) wholly unjustifiable. There was nothing precipitate in the manner in which he had proceeded, nor was it merely at the suggestion of his own opinion that the measure was brought forward. He had given notice of his intention to that effect last session, and the bill, as introduced to the House, had the approbation and sanction of two of the best legal authorities of the kingdom, Lords *Kenyon* and *Eldon*; nay, the latter had not only approved of it, but even condescended to favour him with his assistance in framing it. If, however, it appeared to be the sense of the House that it should not be gone through this session, he would not persist in pressing it forward.

Mr. *Nicholls* said, that if the proposition of the learned Gentleman opposite to him (Mr. *Burton*) was acceded to, he would not press his amendment, which was then withdrawn.

The question for recommitting the bill was then put and agreed to; and after the House had resolved itself into a Committee upon it, the Chairman was ordered to report progress, and the bill was re-committed for Tuesday next, in order to give time to prepare the suggested amendments.

A message from the Lords informed the House that their Lordships had agreed to the army and navy mutiny bills, to the post-horse duty bill, and to some other public and private bills.

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The Irish controverted election bill was read a first time, and ordered to be read a second time on Thursday next; it was also ordered to be printed.

The turnip, &c. bill was read a third time, and passed.

Mr. *Corry* moved for several papers respecting the finances of Ireland, which were ordered.

The other orders of the day were then postponed, and the House adjourned till the next day.

HOUSE OF COMMONS.

SATURDAY, MAY 22.

The Irish loan bill went through a Committee, and the report was ordered to be received on Monday.

The Irish mariners' bill, the Irish sugar drawback bill, and the Irish militia subalterns' allowance bill, were read a third time, passed, and ordered to the Lords,

The House having resolved itself into a Committee on the medicine act, some resolutions were put, and agreed to. Report to be received on Monday.

The Hull docks bill went through a Committee; and the report was ordered to be received on Monday.

Adjourned.

HOUSE OF LORDS.

MONDAY, MAY 24.

The royal assent was given, by commission, to the mutiny bill, the marine mutiny, the Irish indemnity, the post-horses farm duty, and the militia pay bill, together with thirty-four bills of a private or local description.

The sugar duty drawback bill, and the Irish coasting trade bill, were brought up from the Commons by Mr. Alexander; as were also a number of private bills, by Mr. Fane, General Gascoyne, Mr. Dickenson, and other Gentlemen.

The bills upon the table were read in their respective stages, and the bills newly brought up from the Commons were respectively read a first time.

Lord *Hobart* moved, that the militia regulation bill, which was on a former day brought up from the Commons, and printed for the use of their Lordships, be read a second time on Wednesday next, and that the Lords be summoned for that day.

The Duke of *Norfolk* expressed his wish to know if it were intended by Government to continue the volunteer corps.

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Lord *Hobart* replied, that there was a bill in its progress through the other House of Parliament relative to the subject adverted to by the noble Duke; but observed, that the bill then before their Lordships had no sort of reference to the volunteer corps.

The Earl of *Carnarvon* contended, that it was an important question to be resolved, and with a reference to the subject regularly before the House; as, by the bill, it was proposed to augment the militia force to double the number usually kept up in time of peace, and all members of volunteer corps were exempted from serving in the militia.

Lord *Hobart* repeated, that all he could say was, that the subject alluded to was by no means before the House. There was, as he observed, a bill in its way through the other House, which was introduced by a Member of his Majesty's Government; and if noble Lords wished to learn the intentions of Government upon the subject, the best thing he could advise them, was to endeavour to see the bill he had alluded to.

The question was then put, on which the militia regulation bill was ordered to be read a second time on Wednesday, and the Lords to be summoned accordingly.

Adjourned.

HOUSE OF COMMONS.

MONDAY, MAY 24.

COMMISSION.

The *Speaker* acquainted the House that the royal assent was notified, by commission, in the House of Peers to the bill for granting annuities to their Royal Highnesses the Dukes of Sussex and Cambridge, to the army and navy mutiny bills, and to the militia pay and cloathing bill, also to several private bills.

The account moved for by Lord Sheffield, of the quantity of oak imported into Great Britain, was presented, and ordered to lie on the table.

On the motion of Mr. Wickham, leave was given to bring in a bill empowering his Majesty to accept the services of certain yeomanry corps in Ireland. The bill, he said, was similar to that which had already been passed in the Irish Parliament. Leave was given.

The bill was then brought in, read a first time, and ordered to be read a second time on Wednesday next.

Mr. *Burden* gave notice, that on Wednesday next he should move, That the report of the committee on the life-boats petition be referred to a committee of supply.

The land tax redemption amendment bill was read a first time, and ordered to be read a second time on Thursday.

Mr. *Tierney* moved, that there be laid before the House an account of the amount of the permanent taxes of Great Britain for one year, ending the 5th of April, 1802. Ordered.

RESIDENCE OF THE CLERGY.

Sir *W. Scott* moved the order of the day for taking into farther consideration the report of the clergymen's residence bill. This motion being agreed to, the learned Gentleman next moved, that the bill be re-committed *pro forma*, for the purpose of proposing some additional amendments. The House then went into the committee; the amendments were agreed to, and the report was immediately received, the bill ordered to be printed, and to be taken, as amended, into further consideration on that day se'nnight.

The alien bill was read a second time, and ordered to be committed.

The report of the police bill was received, and the bill ordered to be read a third time the next day.

The Irish debenture bill was reported, and ordered to be read a third time.

The Irish militia subalterns' allowance bill was read a first time, and ordered to be read a second time the next day.

The Irish national debt bill was committed, and the report ordered for the next day.

BULL-BAITING.

Mr. *Dent* then moved the order of the day for the second reading of the bill to abolish the practice of bull-baiting, &c. On the question being put,

Mr. *Dent* said, that he should at present content himself with moving, that the bill be now read a second time, reserving to himself the privilege usually granted by the House, of offering his observations in reply on what objections might be urged against the motion. He then moved, that the bill be now read a second time.

Sir *Richard Hill* seconded Mr. *Dent*'s motion: and spoke nearly as follows: Sir, I do not often trouble the House, and perhaps should not have done it on the present occasion, was it not in behalf of a race of poor friendless beings who certainly cannot speak for themselves. I shall, however, be

as brief as possible, being well assured, that if the voice of common sense, common humanity, and uncommon distress and misery cannot be heard, all I can say will be of no avail. Instead, therefore, of multiplying words, I shall beg leave to bring forward some statements of facts, which I have taken from different provincial newspapers, and which, I hope, will prove the means of setting forth the savage and barbarous custom of bull-baiting in its true light. Sir Richard then read some passages which he had selected to that purpose, particularly one from the Bury paper, mentioning the shocking cruelties which had been inflicted on a poor animal, in order to make him furious enough to afford diversion, as it was called, to his brutal tormentors; but the tortured creature soon becoming what was thought too outrageous, he was entangled with ropes, his hoofs cut off, and baited again, whilst he feebly sustained and defended himself on his stumps. Sir Richard then brought a striking citation from Sir Matthew Hale, where, in an address to the Deity, that great man expresses his sentiments concerning cruelty towards the brute creation. Sir Richard next said, that after the testimony of so illustrious a person as Sir Matthew Hale, he could adduce no higher human authority, and should therefore finish his quotations with a short word from a source the purity of which, he trusted, would never be disputed in that great assembly of professing Christians, whatever it might be in a French convention. He who was at once the wisest of men, and the greatest of kings, had declared that "the merciful man regarded the life of his beast, but that the tender mercies of the wicked were cruel." Sir Richard observed that there wanted no comment to prove that, in this saying, Solomon contrasted the difference between the good man and the wicked man, in one particular instance, which related to the conduct of each towards dumb creatures. Sir Richard then said, he had in his pocket many letters from the most respectable characters in the kingdom, setting forth the dreadful evils and cruelties, as well as the shocking accidents, which had accrued from the abominable practice which it was the object of this bill to prevent, but it grieved him to wound the feelings of the House by bringing them forward. However, he would produce one from the much-esteemed clergyman of Totness, in Devon, which he accordingly read. He also mentioned a letter which he had received from a very worthy clerical friend and brother magistrate, in the district wherein he himself

himself acted, in which the respectable name of the chairman of the quarter-sessions was added, as joining in the general wish of the county of Salop, for the abolition of a custom which had been pregnant with such horrid barbarities, as well as innumerable evils, to the safety, the lives, and morals of the common people, and which surely called aloud to the legislature for redress. Sir Richard added, that he had then with him several more petitions, besides those already on the table, signed by the nobility, the clergy, the magistrates, the gentry, and the tradespeople in general, in all the parts from whence those petitions came, but he was ashamed to take up the time of the House by reciting them: besides that, some of them having been addressed to the British instead of the Imperial Parliament, they could not regularly be brought up; and to have sent them down into the country to be altered, would only have been an insult to the present House of Commons, constituted as it now is by such an acquisition of abilities, good sense, and virtue, from our sister kingdom, in which he was happy to hear that an act had passed, without one dissentient voice, for the entire abolition of bull-baiting; and as the Irish Gentlemen had been so favourable to their own *bulls*, he was sure they would not be less indulgent to ours. Sir Richard then said he had only a few short observations to make, but first he desired the clerk to read one or two of the petitions against the bill. After a short pause he requested that the petition from Norwich (the place which Mr. Windham represents) might be read; but there being no such petition from thence nor from any other place against the bill, Sir Richard said he might reasonably have supposed that all the cathedral church, together with the mayor and corporation, had sent up such a petition. It had been objected that this bill was only the beginning of a system: but what system?—a system of humanity?—nothing could be more praise-worthy, a system of peace! And was every system of this sort so grating to the ears of some Gentlemen, that they could not even bear to hear of a definitive treaty between a dog and a bull? As, however, there would be a division, he hoped that it would be such an one as took place on the peace, a division which had gone into the country with great eclat, and added much to the popularity of the peace, and of those who made it. There was one remark, Sir Richard said, he had yet to make, which was, that the amiable sex, in general, were advocates for the bill, and surely they were, on all occasions,

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friendly to humanity. There might, indeed, be some exceptions even among the females; but where should we find them?—Perhaps staggering out of a gin-shop in St. Giles's; perhaps sitting over an oyster-tub, or riding in a cinder-cart, but it could not strictly be said of any one of these ladies, "Grace is in all her steps, Heaven in her eye, in all her gestures dignity and love." He himself had one letter in particular, on the subject in question, from a very accomplished lady, well known in the literary world, which, however, he could not produce without her knowledge and consent. Here Sir Richard was sitting down, but, recollecting himself, said, that though he had observed, at the beginning of his speech, that he was an advocate for poor beings who could not speak for themselves, there came into his mind a fact, wherein even a dumb animal, through the immediate power of the Almighty, rebuked the cruelty of his owner. He then mentioned the case of Balaam's ass; and added, that if an angel interposed on the occasion, surely it was not a circumstance improper to be adduced in a Christian assembly, much less into a discourse of a Christian minister, (the Rev. Leigh Richmond) such a discourse he then had in his hand, out of which he read a passage or two, and then recommended the perusal of it. Sir Richard concluded by saying, that if any thing had escaped him which might appear ludicrous during his speech, he must plead in excuse what a right honourable Gentleman had remarked when leave was asked to bring in the bill, "That it was at once the most ludicrous and the most serious business that ever came before the House." In this Sir Richard said he agreed, for the opposition to the bill was truly ludicrous, and the evils it was designed to prevent were truly serious. If, therefore, there was a spice of both in what he had said, he had kept in view the observation of the right honourable Gentleman. Thanking the House for the patience with which they had attended to him, he sat down giving his hearty assent to the motion.

Mr. *Windham*, after several introductory observations, observed that the evil complained of was not one which had grown with our growth, or strengthened with our strength. It was one which, from year to year, had been gradually decaying, and which, without any legislative interference, seemed fast approaching to dissolution. An allusion had been made to a petition from Norwich on the subject, and an insinuation had been thrown out that it was a practice generally

tally prevalent in that neighbourhood. The fact, however, was, that on enquiry he himself had found, that, within the last twenty years, only two instances were remembered of a bull-baiting in Norwich or its vicinity. Decreasing as the practice was all over the country, he could not but think that the discussion of paltry, local complaints was wholly unworthy the legislature of a great nation. It was a part of a system of introducing subjects of a similar kind into Parliament which he could not omit the opportunity of reprobating in the strongest terms. The subject was, in all points of view, degrading, but it appeared more especially unworthy of being entertained by the Imperial Parliament at a time when so many other subjects of great national importance were calling for the attention of the House. Such a sort of public interference with matters unworthy of the consideration of the legislature could be productive of no consequences but such as were mischievous. No law could be desirable which would be attended with no national advantage, and this advantage ought to be well weighed before a legislative enactment was required. A law, in all cases, necessarily involved a certain degree of restraint, and it was also to be taken into the account that it could not be carried into effect without vesting in those who were to enforce its provisions a considerable degree of discretion. If such a law as that now called for were to be passed, it could not act by a silent operation. On the contrary, it would be enforced by those who principally exerted themselves for the observance of the game laws, and who, in enforcing its provisions, could not possibly escape a large share of public odium. Such was the subject now before the House, which contained nothing of public or general interest. To procure the discussion of such subjects, it was necessary to resort to canvass and intrigue. Members, whose attendance was induced by local considerations in most cases of this description, were present; the discussion, if any took place, was managed by the friends of the measure, and the decision of the House was, perhaps, ultimately a matter of mere chance. The present bill was precisely one of a similar description, and but from the circumstances of the subject having excited some attention in a former session, it might have been considered by chance and agreed to without discussion. On this general principle, then, he was disposed to oppose the discussion of the subject as totally unworthy of the dignity of the House. But he had, in the next place, to object to the manner in which the subject of bull-baiting

had been considered. Its effects had been defined, not from a general view of the subject, but from a few insulated examples. The friends of the bill took a view of the practice complained of, merely as exhibited on a minute scale, and from them consequences were drawn. They put the bull and the dog, as exhibited in a few instances, into the eye of their microscope, and through this confined medium they desired the House to contemplate the general practice. The cruelties of the practice were the only circumstances held up to observation, and every thing else was kept out of view. But if this mode of viewing the subject was to be adopted, he saw no reason why all other sports should not be contemplated in a similar manner. If the cruelty of bull-baiting was thus to be held up to the attention of the House in such glaring colours, why was not hunting, shooting, fishing, and all other amusements of a similar description, to be judged of by similar principles. If the effects of the one were to be viewed through the medium of a microscope, why were not the consequences of the other to be scrutinized with equal severity? By viewing objects in this way, not only would false conclusions be drawn, but the objects themselves would appear inverted, and in a way never intended by nature; things would not only not appear the same, but their whole aspect would be reversed. Nothing could be more pleasing to the eye than the sight of female beauty, but even if the fairest complexion was contemplated through a microscope, deformities would appear, and hairs, unobservable to the naked eye, would present themselves as the bristles on the back of a boar. Such attacks as the present on the amusements of the people struck him in no other light than as the first steps to a reform of the manners of the lower orders. Those who, when young men, had formed projects for the reformation of Parliament, finding themselves disappointed in this project, now formed the design of reforming the manners of the people. In their desires to accomplish this object there were two great parties united, the Jacobins and the Methodists, though the objects they had in view by this change were essentially different. By the former every rural amusement was condemned with a rigour only to be equalled by the severity of their puritanical decisions. They were described as a part of the lewd sports and antichristian pastimes which, in the times of Puritanism, had been totally proscribed. Every thing joyous was to be prohibited, to prepare the people for the reception of their fanatical doctrines.

trines. By the Jacobins, on the other hand, it was an object of important consideration to give to the disposition of the lower orders a greater character of seriousness and gravity as the means of facilitating the reception of their tenets, and, to aid this design, it was necessary to discourage the practice of what were termed idle sports and useless amusements. This was a design which he should ever think it his duty strenuously to oppose. For though he wished that the people might become more virtuous, more attentive to the duties of religion, better fathers, better husbands, better children, he could never agree that, for this purpose, their social habits should be changed; that they should prove more austere, more unsociable, and more self-conceited than they now were. Whenever he saw any steps taken to produce this effect, he could not consider them in any other light than as so many steps of a departure from the old English character. The habits long established among the people were the best fitted to resist the schemes of innovation, and it was among the labouring and illiterate part of the people that jacobinical doctrines had made the smallest progress. In this respect, indeed, it was otherwise with methodist doctrines. They thrived best on a stubborn soil; but they had the effect of preparing it for the reception of the doctrines of Jacobinism. In this work, indeed, the two parties mutually over-reached each other. The party of the Methodists invited the people to read, and, in the first instance, they might peruse a few jacobinical productions that they might read with greater advantage their fanatical productions at a future period. In the same way the Jacobins wished to divert the people from every social pursuit; reading they strenuously recommended, and though a few methodistical books were, in the first instance, not wholly proscribed, they were allowed only to fit the mind for the reception of their poisonous tenets. The effect of their exertions was the same, though thus differently pursued. It was equally directed to the destruction of the old English character by the abolition of all rural sports. So much convinced was he, that this was the object of such a bill as the present, that he almost felt disposed to rest his opposition to it on this footing. Out of the whole number of the disaffected, he questioned if a single bull-baiter could be found, or if a single sportsman had distinguished himself in the corresponding society. The hunting for which they reserved themselves was of a noble kind; they disdained the low pursuits of ordinary sportsmen, the

the game against which their efforts were directed were of no less a quality than Kings. When he spoke of this union of the Parliament of the Methodists and Jacobins, he did not mean to deny that, in their political principles, as well as their ultimate objects, they essentially differed. Religion was an ingredient in the character of the Methodists, which was directly hostile to the views of Jacobinism, for in the composition of modern Jacobinism religion formed no part. But they were not, on serious consideration, so very far removed from each other as might at first sight appear. As a general assertion, it would be admitted that hot water was farther removed from congelation than what was cold; but when the hot water was exposed to the air it was more speedily frozen. In a similar manner, though in the abstract, Methodism and Jacobinism seemed to be the farthest removed from each other, yet facts shewed that the tenets of the one prepared the mind for the adoption of the doctrines of the other. In confirmation of this mutual design of these parties, the right honourable Member took occasion to quote a passage from the memoirs of a rural poet of considerable celebrity, (Bloomfield, author of *The Farmer's Boy*, &c.) by a gentleman of respectable literary talents, (Capel Loft) in which it is mentioned, that the poet was in the habit of spending his time in reading in his garret, or attending a debating society, which the editor recommends as a much more worthy mode of employing himself than if he had been occupied with gambling, drinking, or fighting. He paid some very handsome compliments to the originality of many of the thoughts of this poet, to his natural simplicity, and unaffected elegance of language. He wished what he now said to be considered as an unexaggerated declaration of his opinion of the merits of the poem; and he hoped it would be considered as nothing improper when he added, that he wished this opinion, thus publicly delivered, to be viewed as an advertisement of the merit of the poem. But with this high opinion of the merits of the poet, he had doubts how far it was proper to encourage ideas of literary profit or renown in those who had been bred to a useful trade. In particular instances it might not be prejudicial, but to inculcate such notions as those contained in the passage of the memoirs to which he had referred, could tend only to a mischievous purpose. He regretted the minuteness with which he was obliged to enter into the consideration of the subject, but threw the blame on those by whom such a subject was introduced

duced—an examination of the bill was not less necessary than if it had referred to a subject of the highest national importance. To examine the character of a daub of Teniers was often a work of more difficulty than to describe the beauties of the Madonna of Raphael. He next proceeded to read an extract from a sermon, which he declared he should in all probability never have read, but from the circumstance of its having been sent to him by the author, in which the cruelty of bull-baiting is described in very strong terms, and the man who would encourage the practice is represented as a person who would not hesitate to sheath a blade in the bowels of his fellow-creatures. That the practice of sports, even when they were of a cruel kind, tended to render mankind cruel, he denied, and he founded his assertion on the history of all ages and countries. The most elegant scholars, and the finest poets in ancient or modern times, were loud in the praises of many of those sports which, with equal justice, might be called cruel, as that which had been so loudly condemned. What was the inference he drew from all this, but that cruelty was not at all the object of those sports, though in certain instances it might be the result. If he were asked what was the object of bull-baiting, he should be better able to give an intelligible answer, than if he were asked a similar question with regard to hunting, or other amusements of a similar description. That a certain degree of gratification might be received from the spectacle of the combats of animals, the history of all ages sufficiently proved. Even the philosophy of the present age took part with a practice which had prevailed in this country for centuries. In the time of Queen Elizabeth, that which is despised and reprobated as the amusement only of the lowest of the people, was an amusement courted by all ranks. Since that period bull-baiting had declined, and hunting had usurped its room. The one had become the favourite amusement of the great, and the other had sunk in dignity till it was, in a great measure, annihilated, and yet it was at such a moment as this that the House was called upon and urged to put it down by a legislative enactment. Was this, he asked, a time to abridge the amusements of the common people, when we were meditating the extension of the game laws to Ireland? But the riots and confusion which the practice of bull-baiting occasioned were urged as another reason for the necessity of the interference of the Legislature. This was a favourite argument on a former occasion when

when the subject was before the House, with an honourable Friend of his (Mr. Wilberforce) member for Yorkshire. In this instance the conduct of his right honourable Friend put him in mind of the story of the butcher who run about seeking his knife while it was in his teeth; for he was searching every quarter in quest of objects of reform, while those in his own neighbourhood were totally overlooked! When he condemned the excesses to which bull-baiting gave rise, had he forgotten all the confusion and riot which horse-racing produced? He himself did not object to the practice of horse-racing, since there were many individuals to whom it was a source of pleasure; but he might be allowed to remind the House of the observation of Dr. Johnson, who had expressed his surprize at the paucity of human pleasures, when horse-racing constituted one of their number. Perhaps the anxiety displayed by many persons in the pursuit of this pleasure, might be considered as approximating to the efforts of the degenerate emperors of Rome, to gratify a palate which luxury had rendered insensible to the ordinary materials of food. To horse-racing he was himself personally no more an enemy, than he was to boxing—though in making this observation he was far from meaning to disparage boxing so far, as to put them on an equal footing, or to insinuate that so poor, mean, wretched amusement as the one, was at all to vie in importance with the other, which was connected with ideas of personal merit, and individual dignity. But in point of fact he was confident, that in point of any effect on the morals of the people, the influence of horse-racing was infinitely more pernicious than any which bull-baiting could produce. What, he desired the House to consider, did a horse-race consist of? What was the description of persons whom it encouraged to assemble? They consisted of all the riff-raff from every part of the country. There were to be seen collected all the black-legs of the metropolis, the markers at billiard tables, apprentices who had embezzled the property of their masters, and who are afterwards obliged to resort to slavery to cover their fraud, gingerbread venders, strolling gamblers, in a word infamous characters of every description. Such was the description of individuals whom horse-racing assembled. Now what was the object which such an amusement had in view? He confessed himself unable to view it in any other light than as a species of gambling. It did not seem to him to give exercise for one generous feeling. His honourable Friend had, however,

however, taken a cumbrous leap over no less than nine racing grounds in the county which he represented, and had never descended till he had alighted at a bull baiting. He had totally neglected the duty of destroying abuses at home, but had spent all his labour, and exerted all his zeal in poaching in foreign manors. So much he remarked on the argument, that bull-baiting was productive of riot and confusion. He recurred to the inexpediency of abridging the amusements of the lower orders at the present moment. There was a very numerous class of pleasures from which their circumstances in life excluded them. To the pleasures of intellect, that source of the purest delights of humanity, their situation denied them access. To the accommodations of social life, so far as a change of situation and place was concerned, they were strangers. The rich had their feasts, their assemblies, their parties of pleasure, their *pic nics*, every thing in short which could afford them gratification. From amusements of this kind the lower orders were excluded by their poverty. But there was another class of pleasure from which they were in a great measure excluded by the rigour of the law. The authority of the magistrate was often interposed to counteract even their harmless pleasures. To dance at all out of season, was to draw on their heads the rigour of unrelenting justice. The great might gratify themselves by a thousand different ways, and the magistrate did not conceive it within his sphere to interrupt their amusements. But it was known that an organ did not sound more harshly in the ears of a Puritan, than did the notes of a fiddle in those of a magistrate, when he himself was not to be of the party. He made an allusion to a beautiful passage of a celebrated writer (Sterne) in which he describes the condition of the lower orders at the close of the day, when labour was finished, when families met together to join in social pleasures, when the old encouraged the sports of the young, and rejoiced in the amusements of their children. But what was all this when translated into plain English? It conveyed to us merely the idea of a hop. In confirmation of his ideas about the restraints to which the amusements of the lower orders are subjected, he referred to certain transactions which took place in a square at the West end of the town (Berkeley-square) a few years ago. The whole neighbourhood had been alarmed; the most serious apprehensions were excited; the aid of the military was judged necessary; and after all this idle pomp of authority, it was discovered that the formidable

disturbances of the public peace were a few domestics dancing to the music of a blind fidler. At a moment like the present to heap up restraints on the amusements of the lower orders was contrary to every dictate of expediency and of policy. It was by legislative enactment to compel the people to renounce every joyous sport, and to exchange amusements at once conducive to health, and favourable to those old English maxims which it was of so much consequence to cherish, for gloomy austerity and stupid sottishness. It was to force them to take refuge in the ale-house or the tabernacle, both destructive of their best habits. The right honourable Gentleman recurred to the subject of the cruelty of the practice now under consideration. He was at some pains to shew that the bull did not sustain that degree of cruelty which was generally supposed. A true game bull, to use the sporting language of bull-baiters—and why were they to be denied such a language as well as others—took his post with composure, faced his enemies with courage, and even seemed to take pleasure in the contest. He illustrated this idea by analogous instances, particularly of the horse trained to war, who betrays obvious tokens of exultation when approaching to battle. With respect to accidents to which the practice, particularly of bull running, gave rise, he remarked that they were far from being frequent, and were almost in every case occasioned by the too great eagerness of the pursuers, contrary to the idea of an honourable Baronet (Sir R. Hill) who had insinuated that if the bull were loose few persons would be fond of the exercise. He was at some pains in tracing the spirit which this practice had kept alive in many parts of the country. It had been bequeathed as a legacy of hostility to puritanical principles, and it had answered the end proposed. Attachment to bull-baiting had been the bond of enmity to fanaticism, nor had it encouraged any principles inconsistent with loyalty. He ridiculed in a fine strain of humour the manner in which the supposed many petitions against the practice had originated. He drew a picture of the lady of the chief of a corporation relating to her dear spouse the cruelties of bull-baiting; beseeching him to convene the council to take steps against so odious a practice, and calling on him to request the member for the borough to support their petition in parliament. To pretend that the practice made men more than usually savage, he referred to the state of the counties in which it is most prevalent, and shewed that they afforded the best men in our army.

army. To the regiment of Stafford militia, bull dogs were attached, and the men had most probably often seen bulls baited. Yet were they distinguished by their excellent conduct, and that they were not uncommonly barbarous it was sufficient to mention that they had been selected to attend on the person of the Sovereign. The right honourable Gentleman concluded his able speech by giving his hearty negative to the second reading of the bill.

Mr. *Courtney* said, he felt himself compelled to disagree with his honourable Friend, who spoke last, in one thing. He could not, like him, regard this as a subject too trifling for discussion. Certainly if every amiable virtue of the people, if all those noble feelings which were the support of the Church and the State had their origin in bull-baiting, the House could not be occupied by the consideration of a more important question. The honourable Gentleman had clearly shewn, that Jacobinism and Methodism were both leagued to put down bull-baiting; that reform had been prevented, and the constitution preserved by bull-baiting; and that the best soldiers were found in those quarters where this practice most prevailed. With all these recommendations to the amusement, could the House hesitate a moment in throwing out the bill? The honourable Gentleman has also made it perfectly plain that the bull is pleased in being baited; but it was to be regretted, that in that notion he had not his usual merit of originality. He borrowed his argument from Locke's principle of the association of ideas. Though the bull was at first in torture, he associates pleasurable ideas with the recollection of the contest, and is quite happy on the second baiting. In the same manner bears are taught to dance by being placed on hot iron plates, while their instructor beats a drum or plays upon a fiddle. When they have been sufficiently practised in this amusement, they always get up and dance upon hearing the sound of a drum, without any assistance from the burning plates. Who will say that this is not just such another instance of association? As little was the Honourable Gentleman original in his illustration drawn from the beauty of the human countenance viewed by a microscopic eye. Here he seemed to have borrowed from a well known book, *Gulliver's Travels*. He must have had in his eye the story of the maid of honour at the court of Brobdingnag, who used to place Mr. Gulliver astride on her sippet. There he saw caverns and hogs' bristles on her face, and thought her a most disgusting picture of deformity,

deformity, though she was followed and adored by all the beaux of the court. These trifling slips would not, however, have the effect of making any reflecting man support the bill. Good God, were this preliminary treaty of peace signed between the dogs and the bulls to be sanctioned by the House, the constitution would be totally ruined. Now that there are no wars on the continent, no longer any bloody battles by sea or land, what would Ex-Ministers do to amuse themselves, were it not for bull-baiting? If this abominable bill should, in spite of all opposition pass, he hoped, at least, a clause would be introduced, setting apart some sacred spot in Norfolk or Buckinghamshire for perpetuating a practice so beneficial, and which young students might attend as a lyceum. Bull-baiting was anciently a royal sport, and so was lion-baiting. James I. baited a lion with three bulldogs, in the Tower. This lion-baiting was so much of a royal sport that perhaps, no king ever disliked it except Henry VII. He indeed seemed to consider that there was something like jacobinism in the amusement, and could not brook that a dirty bull-dog should attack the king of beasts. There was another very important circumstance which ought not to be overlooked. These bull-dogs were distinguished by a gruff, surly aspect, expressive of the very character of John Bull himself. What would become of us were the breed to be lost?—

“ Butchers would weep who never weeped before.”

So great was the value put upon bull-dogs by our ancestors, that Norwich was made a corporation by Richard III. on the condition of presenting three of these animals to the King. This was probably still in the charter. The qualities of the bull-dog were celebrated by *Ælian*, *Appian*, and *Claudian*. *Grotius* makes an eulogium on the English bull-dogs:—

Atque ipsa libeat penetrare Britannos
O quanta est merces et quantum impendia supra!
Si non ad speciem mentiturosq; decores
Protinus: hæc una est cæulis jactata Britannia, &c.

Thus his honourable Friend had more than one classical authority for his admiration of the bull-dog. Now if the lyceum he had suggested should be established, might not, for the sake of improving the sport, a Corsican bull be procured, which, no offence to the First Consul, might be very properly named *Bonaparte*? The enemies of the peace would then find some very pretty amusement in baiting this bull,

bull, and in imitation of the Spanish bull-fighter might assume titles for the occasion. For instance, one might call himself *Don Plumbosa Lumbaga, the knight of the leaden spear*. Another might call himself *the knight of the sorrowful countenance*; a third, *the knight of the gilded helmet*, and so on. He could not withhold his support from a practice which was the chief support of our glorious constitution; he must therefore oppose the bill.

Colonel *Grosvenor* enforced the arguments of Mr. Windham, and declared this to be a bill which it was quite unworthy of the House to entertain.

General *Gascoyne* observed, that in the county in which he resided the practice of bull-baiting differed from that in Staffordshire, Shropshire, and Hampshire. In Shropshire he understood that the bulls were ornamented with flowers previous to their being baited, and their horns gilt, and decorated. He stated that a friend of his had frequently boasted to him of the number of men he had raised by bull-baiting; and that it was a practice which increased the population of the country in a much greater degree than the recruiting service thinned it. He was of opinion that this was not a subject worthy the consideration of the House, and he could scarce believe that either the Gentleman who had introduced it, or those who had supported him, were serious. If there was any abuse of the practice, the legislature might with propriety enact a regulation particularly applying to it; but the existence of a partial abuse was no ground for destroying the practice altogether. He considered it an amusement which the lower orders were entitled to, and it was with regret he observed a disposition in many of the Members to deprive the poor of their recreations, and force them to pass their time in chaunting at conventicles. He concluded by saying the House had already been occupied too much on such a subject. He hoped the measure would be again rejected.

Mr. *Wilberforce* allowed that the subject had been treated with too much levity; but he thought it merited more attentive consideration. If the good effects which had been attributed to it were really produced by bull-baiting, why not move to have it rendered more general? But the truth was, every argument employed to defend the practice had been merely palliative. Mere opinions had been stated to prove that it was nowise hurtful to morality; but for his own part, he thought it fostered every bad and barbarous principle of our nature, and he was sorry that any one so respectable as his

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his right honourable Friend, had been found to defend it. He was certain if that honourable Gentleman or any other Member of the House had inquired into the subject as minutely as himself, he would no longer defend a practice which could be proved to degrade human nature to a level with the most ferocious brutes. He said his evidence was derived from respectable magistrates, and other evidence, into the validity of which he had minutely inquired, and found unexceptionable. From such evidence he had derived a variety of facts, which were too long and almost too horrid to detail to the House. A bull, that honest, harmless, useful animal, was forcibly tied to a stake, and a number of bull-dogs set upon him. If his natural want of ferocity prevented him from being sufficiently roused by the pain of their attacks, the most barbarous expedients were fallen upon to awake in him that fury which was necessary to the amusement of the inhuman Spectators. One instance of the latter kind he could state from the best authority: a bull had been bought for the sole purpose of being baited; but upon being fixed to the stake, he was found of so mild a nature, that all the attacks of the dogs were insufficient to excite him to the requisite degree of fury; upon which those who had bought him, refused to pay the price to the original owner, unless, he could be made to serve this purpose. The owner, after numberless expedients, at last sawed off his horns, and poured into them a poignant sort of liquid, that quickly excited the animal to the wished-for degree of fury. This was not the most savage expedient that had often been practised. When bulls were bought merely for the purpose of being baited, the people who bought them, wished to have as much diversion (if diversion such cruelty could be called) as possible for their money. The consequence was, that every art, even fire had been employed to rouse the exhausted animal to fresh exertions, till there were instances where he had expired in protracted agonies amidst the flames. It had been said, that it would be wrong to deprive the lower orders of their amusements, of the only cordial drop of life which supports them under their complicated burthens. "Wretched indeed," said Mr. Wilberforce, "must be the condition of the common people of England, if we suppose that their whole happiness consists in the practice of such barbarity. Such a supposition is a satire, not only on the name of Englishmen, but on the Creator, who formed reasonable creatures with such barbarous propensities. Of all the arguments even invented by Jacobinism to prove

prove the wretched state of the lower orders, this surely is the strongest, if the only enjoyment of the common people of England is derived from the practice of bull-baiting. It has been said that this practice contributes to keep alive the martial ardour of the nation. But has it not been proved, by experience, that the greatest, the noblest, the most renowned characters have always been the most humane? When we consider that the victim of this inhuman amusement is not left to the free exertion of his natural powers, but bound to a stake, and baited with animals instinctively his foes, and urged by acclamation to attack him; are we not forced to conclude that the practice is inconsistent with every manly principle, cruel in its designs, and cowardly in its execution? No man is more unwilling than I am to encroach upon the amusements of the lower orders; on the contrary, I wish to rescue them from the ignominious reproach cast upon them, that they are so ignorant and so debased as to be fit only to enjoy the base and cowardly amusement of tormenting an harmless and fettered animal to death. It would rather be my object to call my countrymen to amusements more worthy of their nature, more worthy of the generous character of Englishmen. But it has been stated that the present bill ought not to be passed without also preventing shooting, hunting, and every other attack on the inferior animals. Suppose these diversions to be equally inhuman, would not the admission of this argument infer, that no vice is to be abolished because all of the same species cannot at once be done away? But it is by no means proper to place the diversions of shooting and horse-racing on a footing with bull-baiting. Shooting affords exercise to the body, and the birds who fall by it are subjected to no pain beyond immediate deprivation of life. In horse-racing, two generous animals, without almost any compulsion, exert their speed against each other, and return from the course with small abatement of spirits or vigour. But bull-baiting not only excites the natural passions of the animal for the amusement of the spectators, but also subjects it to the most inhuman cruelties, till it sinks under the pressure of its complicated miseries." Mr. Wilberforce then proceeded to consider the arguments of Mr. Windham. He said it was easy to dress up a metaphysical picture in one's closet, till the author was led to admire the image of his own creation. But if, instead of such refinements, we attend to the voice of common sense, we should be convinced that no happiness could result from a practice so cruel, base,

and

and unjust ; that no pleasure could be derived from wantonly torturing the brutes which were given us, not for such barbarous purposes, but for our use and pleasure. Without such an amusement, the common people of England had surely a sufficient number of innocent amusements, in their festivals, their gambols, their athletic exercises. His right honourable Friend, while picturing the happiness derived from bull-baiting, had forgot that it was confined to an individual, while his wretched family, excluded from any participation of the spectacle, were condemned to feel the want of the money which he squandered away on such occasions. After all these considerations, he concluded that we must look upon the practice of bull-baiting as destructive to the true happiness and morality of individuals, and consequently the general good of society.

Mr. *W. Smith* declared that he thought the right honourable Gentleman, from being goaded by the terrors of Jacobinism, had run as wild as any bull that ever was baited. He reprimanded, with great severity, what Mr. Windham had said of bull-baiting being necessary to the happiness of the people. If it were wished to keep them in a degraded and brutal state, it would certainly be proper, he allowed, to inure them to such spectacles. But he who had a just notion of their dignity, and wished to raise them in the scale of being, would try to cultivate their minds, to polish their manners and to instruct them in the principles of morality and religion. He believed that the right honourable Gentleman would take no pleasure in the cruelties of bull-baiting ; but its essence was cruelty, and the education and habits of the vulgar unhappily were not calculated to give them any disinclination to it. He thought that bull-baiting was a disgrace to the country, of which it ought to be freed as soon as possible.

Mr. *Newbolt* thought that bull-baiting was unfit for rich or poor, that it tended to barbarize all who witnessed it, and that it ought to be abolished as soon as possible. If the amusements of the rich were of the same nature, he did not deny that they ought to share the same fate, but the truth was, that there was not the smallest analogy between them.

Mr. *Frankland* spoke at considerable length against the bill. He expressed his opinion that all those Gentlemen who had argued in support of the measure, had entirely mistaken the principle upon which the amusement in question proceeded, as well as the motives and objects of those who engaged in it, and he deprecated what he seemed to consider the too frequent

quent and unjustifiable appeals which were made to the passions of the House on the occasion. He contended, that if the amusement involved, in any degree, the practice of cruelty, it was not induced, by those who participated in the sport, for the sake of cruelty. In some points of view, the amusement of horse-racing may also be termed cruel; there was not a year in which numbers and numbers were not killed in that sport; but as horses were a lively and spirited animal, he was inclined to think the amusement in no sense a cruel one. So might it be said of that most magnificent of all the sports of the field, stag-hunting—the animal, in that case, was fed and pampered previous to the chase, not with a reference to its future torture, but that it might yield the greater sport—the animal often, necessarily, lost his life in the chase—its heart was what was called broken: did Gentlemen think such a process could take place without producing great agony?—the hounds often fastened on his chest, and tore him to pieces:—and yet such a practice entirely escaped the humanity of the legislature. This was not all, the practice was even regulated by legislative provisions, by the operations of some parts of the game laws. The principle on which this bill seemed to proceed would go to libel, and in the most calumnious manner, the most exalted characters in the country;—would not even stop at royalty itself, as the manly sport of hunting was indulged in by the Sovereign, and for which a regular establishment was laudably kept. With a degree of warmth, and occasionally exhibiting a vein of sportive humour which excited much risibility, the honourable Gentleman delivered his sentiments against the bill; and speaking of the practice of bull-baiting, on which he necessarily dwelt at most length, he stated that he over and over, and over and over again had opportunities of witnessing that none of the cruelties imputed to the practice, at least in that degree alleged, and certainly not from the motives imputed, had taken place. With respect to the various petitions which had been presented, many of those he had seen were verbatim the same, and there appeared to him a great similarity. With respect to the signatures, there were however a profusion of Mollys and Jennies among them. How these, whom an honourable Baronet called the angel part of the species, but which he called the most delicate, came so to interest themselves, and come forward on such an occasion, he could not tell, but he hoped no person had so unmannered, or so unfixed themselves as to assume those characters. It was impossible the bill could

pass in its present shape: the assumption that the practice of bull-baiting had increased, was false. He seemed to think with the right honourable Gentleman who opposed the measure, that the national character was implicated in it. It was the encouragement given to such manly sports, and invigorating exercises, that made us what we were. He expatiated on the virtues of the English bull-dog. The people, and the animals of this country, were of a peculiar cast and character, both original and excellent in their kind;—and animals, as we learn from ancient writers, as well as we possibly might observe from personal experience, were often the best and surest preceptors of men. On the same principle, proceeded the maxim, “that wise men learned more from fools, than fools from wise men.” With respect to the penalties held forth by the bill, he seemed to think them rather rigorous. All that could favourably be said of them was; that the punishment was not capital; indefinite fine and imprisonment, however, were provided; the other clauses of the bill he equally disapproved of. The first time the legislature ever interfered with the sports of the country was in the time of Henry VIII. in consequence of which the people addicted themselves to sedentary and unmanly pursuits; which in after-times the legislature thought it proper to decry. So would it be in the present instance, the liberal and national sports chuckfarthing and turnpenny would be adopted, and to these the people would be advised to give their days and nights. Pursuing this line of argument and opposition to the bill, he concluded with expressing his hostility to its further progress.

Mr. *Sheridan* observed, that he should most probably have given a silent vote, were it not for some points in the speech of the honourable Gentleman who had just sat down. He had previously attended to the speech of the right honourable Gentleman who was so decided an opponent of the measure, and he could not help admiring the ingenuity, talents, and address which he had displayed in a speech which he thought well calculated to produce an effect on the imagination; but perhaps of all the speeches he ever heard, it was the least calculated to produce solid conviction. With respect to the support he received from the honourable Gentleman who spoke last, he was at first rather dubious of it, and were it not for the animation of his manner, he really should have thought that he intended to follow the ironical line adopted by an honourable Friend of his (Mr. S.) under the gallery—a great deal

deal of what had been said, might be reduced to a short question, which, for the sake of illustration, he would put in the metaphorical language of an honourable Gentleman under the gallery, who said, as the higher orders of the people had their Billington, the lower orders should have their bull-baiting. Another Member declared as an argument against the bill, that through the means of bull-baiting, he raised more men for his Majesty in Lancashire, and also more subjects in the way of increasing the population, than by any other means he knew. This might be an admirable argument to influence a recruiting serjeant, but that any one should think, that it could have an effect on a grave and deliberating assembly of legislators, more especially, when it produced effects which involved considerations of vice and profligacy on the part of women, was to him a little extraordinary. In some countries the disgraceful practice in question did not prevail, but that the measure could operate with respect to the country to which that honourable Gentleman referred, either in relation to the excellent breed of bulls, or the sources of increased population alluded to, was a little questionable. A few of the topics in the right hon. Gentleman's speech, however, he should have occasion to allude to; and first, with respect to the idea, that such subjects were unworthy the attention of the legislature. After warmly animadverting on what he had said respecting the estimation and progress of private bills in that House, Mr. Sheridan proceeded to express his surprise, that if the right honourable Gentleman thought the subject so low, so trifling, as to be utterly unworthy of the interference of the Legislature, he should have deemed it necessary to oppose the bill in a very long and elaborate speech, a speech which, in his mind, had rather been prepared for the occasion; in more points than one of it, the lamp was to be smelt; it possessed a climax of quotation, from modern as well as ancient authors. Xenophon, Virgil, Milton, and other writers were copiously referred to. All this matter too, was well arranged. If the right honourable Gentleman deemed the subject trifling, and unworthy of attention, why take all that trouble about it? Or if the right honourable Gentleman had displayed so much ability and address, or made so great a figure in eloquence, while decrying the definitive treaty, he should not, most probably, have been in so small a minority. What, it was exclaimed, would Europe say, if at such a juncture, we occupied ourselves in such discussions? With respect to the right honourable Gentleman's mode of con-

sidering as well as treating this question, he felt for him—he felt for the state of his mind, and for that irritation of which it must be susceptible in contemplating the return of peace, and he must allow for his feeling on the cessation of hostilities in every part of Europe; in which view it would appear, as if he wished to make some compensation to himself, in fermenting a war between the bulls and the dogs. It was rather extraordinary that though the right honourable Gentleman denied the subject to be of importance, yet he considered the measure to proceed from the combined effects of jacobinism and methodism, to overturn the constitution of the country; and another Gentleman seemed to be of opinion, that if the lowers of the people were not indulged in the joyous and jovial practice of bull-baiting, the constitution must eventually be overturned. Another point respected the amusements of the lower orders of the people. With respect to these nothing could give him greater pleasure, than that they could be effectually revised and reduced to a salutary system, founded on just and rational principles. He would bring to the right honourable Gentleman's recollection a circumstance relative to this point, namely, a society which was some time ago established, in which an honourable General since dead (Burgoyne) was a leading Member, and in which they both were concerned; the object of which was to revive the practice of the genuine old English sports and amusements: in this plan, however, it was expressly set forth, that the barbarous practice of bull-baiting was not to be included. In regard to the argument held out, that if this custom was suppressed, we should not know where to stop, and that the amusements of hunting, shooting, and fishing, would become the next objects of suppression: To this idea he could shortly answer, that these amusements have no more analogy to the barbarous practice in question, than any thing the most opposite in their natures could have: and he must observe, with regard to the honourable Gentleman who had beheld those scenes over and over and over again, that no man could advance such arguments or defend the practice, who had not been inured to it. But that Gentleman said, the object was, not to torture the animal, that cruelty was not inflicted for the sake of cruelty: where was the difference in the effect, or in the tortures of the wretched animal, when the cruelty proceeded only from sport? He could conceive different sources of passion from which cruelty might arise, as wrath, malice, fear, cowardice, and worse than these was it

is when proceeding from beastly appetite, from the effect of gluttony; but certainly worse than any, or than all put together, was the nature of inflicting cruelty merely for sport. If the House suffered the bill to go to a committee, they could produce facts which must excite feelings of horror and indignation. What the honourable Gentleman said of our deriving useful instructions from animals, was in a great degree well founded; but then it must be from animals in a free state of nature; in circumstances wherein, as the poet happily expresses it, you may

“ Learn from the little Nautilus to sail ;”

but not from animals in a state of coercion or torture. He expatiated with great feeling, animation, and effect, on the barbarous custom of bull-baiting, as not only producing the most inconceivable tortures to the wretched animal, and often to the instruments of his torment, but tending to deaden the feelings of humanity in, and to brutalize the minds of the beholder, and at such sights women and children were often present: of this he stated some facts in illustration; among these, that of a brutal bull-baiter, who possessing an old bull bitch, that lately had a large litter of puppies, was willing to show the staunchness of her blood, and the extent of her prowess: he set the bitch at a bull, she pinned, and fastened on him, and in that situation he literally cut her to pieces, the animal still keeping her hold. He then sold the puppies for five guineas a-piece; after this he took out his knife, and in a climax of brutality, cut the bitch's throat. These facts shewed the diabolical and malignant spirit with which such sports were conducted, and encouraging those, instead of making a people manly and generous, would, by inuring them to acts of cruelty, render them base, and fit to submit to the yoke of tyranny, and to bow to a vigour beyond the law: and to encourage them in such acts of barbarism would also render the people barbarous and tyrannical in their turn, teach them to oppress the weak, by rioting in the blood and tortures of dumb and unoffending animals, and on all occasions, as a sure result, to bow the neck to the yoke of power. Such practices surely called for the interference of the Legislature; they degraded the national character, as well as brutalized the people, and had incontrovertibly extended to the length of *contra bonos mores*. Undoubtedly, as has been said, cruelties may be practised upon animals, and of the most shocking kinds, in circumstances which it was beyond the power of law to remedy. True, but if these practices

practices were exhibited openly, they would become nuisances, and call for the interference of the Legislature. Those bold and bare-faced practices, which exhibit their sanguinary details to the eye of day, should certainly be put down: it was a question, whether the existing laws may not be sufficient to remedy the evil, by the interference of the magistrates. However that might be, the old law seemed to be worn out; its teeth could not be fixed upon the evil; it was the object of the present bill to remedy this defect, and to render the law efficacious.

Mr. *Dent* wound up the argument urged by gentlemen on the same side with him in favour of the bill, and contended that the petitions against the practice of bull-baiting from almost every part of the country were signed by all ranks and descriptions, nobility, gentry, clergy, &c. &c. and he might call upon many respectable Members in that House, who he knew were eye-witnesses of the various kinds of wickedness to which this shameful practice gave rise.

The question was now loudly called for, and being put, that the bill be now read a second time,

General *Gascoyne* rose, and moved as an amendment, that it be read a second time this day three months.

On which amendment the House divided,

Ayes 64 Noes 51 Majority against the bill 31.

The bill was consequently lost for this session.

Mr. *Windham* and General *Gascoyne* were tellers for the Ayes; Mr. *Sheridan* and Mr. *Dent* for the Noes.

Adjourned.

HOUSE OF LORDS.

TUESDAY, MAY 25.

The bills before the House were forwarded in their respective stages.

The gardeners' protection bill, and the sugar bounty bill, were brought up from the Commons by Mr. *Alexander*.

The London fish-market bill was presented by Mr. *Lushington*.

A few private bills were brought up. These bills were severally read a first time; after which some private business was disposed of, and then their Lordships adjourned.

HOUSE

HOUSE OF COMMONS.

TUESDAY, MAY 25.

Lord *Castlereagh* brought up the report of the committee on the petition of the Sierra Leone Company, which was ordered to lie on the table.

The London fish-market bill was read a third time, and passed.

Mr. *Garthshore* brought up the accounts of the timber used in his Majesty's dock-yards, which were ordered to lie on the table.

The poor work-house bill was ordered to be read a second time the next day.

Mr. *Corry* presented an account of the money remaining in the treasury of Ireland, which had been raised for the purpose of manning the navy.

The Irish loan bill was ordered to be read a third time the next day.

Mr. *Corry* said, that he had given notice of his intention to bring forward the Irish business the next day, in the committee of ways and means: this business had been unavoidably postponed from time to time, owing to certain requisite papers not having arrived from Ireland, and this reason still continued. In particular, he said, that the intended Irish army establishment had not yet been finally settled; and it had been suggested to him, that to bring forward the other parts of the Irish business at present, and the arrangements respecting the army afterwards, would be to give the House a great deal of unnecessary trouble. He was willing to comply with the suggestion, and therefore should not proceed on the notice he had given for the next day, nor name any other day, lest he should be again forced to put it off.

Mr. *Robson* complained that there was a period of nine months of which he could find no mention among the Irish accounts.

Mr. *Corry* said these accounts had, last session, been laid before the House and printed; to these he must beg leave to refer the honourable Gentleman; and if there was any thing that required further explanation, he was at all times happy to afford it, to the utmost of his power.

The bill for regulating the time allowed for making up public accounts was read a second time, and ordered to be committed on Thursday.

The

The sugar export bounty bill was read a third time and passed.

The report of the committee on the stamp duty bill was brought up, and the bill ordered to be read a third time the next day.

On the order of the day for taking into consideration Dr. Jauner's petition.

Mr. Barclay observed, that not only our national character, but the general cause of humanity was interested in conferring some distinguished reward on one who had so largely contributed to the happiness of our race. He therefore moved, "That this petition be referred to the committee of supply on Monday."—Ordered.

A message from the Lords announced to the House their Lordship's assent to the militia subaltern allowance bill.

Mr. Sheridan said, that he should move for certain papers, formerly alluded to, the next day, and he understood there was no objection to be made to their production.

Mr. Deni gave notice, that he should annually bring forward his bill against bull-baiting.

The Scotch militia bill went through a committee, and the report was ordered to be received the next day.

The consideration of the yeomanry bill was put off till the next day.

The franking bill passed through the committee and the report was ordered to be received the next day.

A message from the Lords informed the House of their assent to the Liverpool exchange bill.

The Police officers' bill was read a first time, and ordered to be read a second time, the next day.

The alien bill was ordered to be committed the next day.

The report of the committee on the cotton apprentices' bill was then taken into consideration.

After some conversation between Mr. Henry Lascelles, Lord Belgrave, Sir Robert Peel, and Mr. Wilberforce, in which some of the arguments stated in the committee were again brought forward, the amendments were agreed to, and the bill ordered to be read a third time on Thursday.

On the order of the day being read for the second reading of the Irish law courts bill.

Mr. Leigh stated, that it was the great object of this bill to put the Irish courts of law on the same footing, and to expedite justice. These objects had formerly been stated, and he should not now comment on the utility of the bill, which was undeniable.

The

The *Chancellor of the Exchequer* said, that to the principle of a bill, which had for its object to facilitate the administration of justice in any part of his Majesty's dominions, he could have no objection; and yet this was a measure which required serious consideration. He knew from good authority that many persons, not now present, were favourable to this bill; but there was another authority to which he attached, and to which he believed the House would attach, great importance, wanting upon the present measure, and to obtain which time would be required. He alluded to a noble Friend of his, who was now in Ireland, in the highest station of the law: he was aware that any measure which had for its object the facility of the administration of justice, would obtain his attention, and, if it had that tendency, his approbation; he was quite sure that a measure of that nature would not be more favourably received by any individual than by that noble Lord; but he also knew it to be an opinion entertained by that noble Lord, that the provisions of this bill should receive more consideration, by him at least, than he had had hitherto an opportunity of bestowing upon it. He was now in a situation where he had more opportunity than any other person of considering every part of this subject. His attention was now directed to it, and he was not without hopes that at a future session of Parliament, or rather, he should say, at an early period of the next session, this measure might be brought forward with advantage; after the assistance it might receive from the attention of that noble Lord, supposing him to approve of the bill, to which, however, he must not be understood to pledge his noble Friend, although he had no reason to doubt his entertaining a favourable opinion of it. Under these circumstances, he could not help expressing a hope it would be the general desire of the House, that an opportunity might be given to have the attention of a person of such talents and ability directed to the subject; and after it had received that advantage, which at present it could not have, and which he could not help considering as essential to it, notwithstanding it had received great attention from many honourable gentlemen, some of whom were now opposite to him; for these reasons he wished this subject to be deferred to another session. He was however desirous not to be considered as unfriendly to this bill, or to be understood as doing any thing to obstruct its final success; he wished it not to be thought that the measure was likely to be prejudiced by delay, in

case the House should accede to that which he should propose, for he did it merely from a hope that the House would have next session that which they could not have in this, the advantage of the observations to be expected from the experience, knowledge, talents, and attention of the noble person to whom he had alluded. Knowing, as he did, that no material inconvenience, but on the contrary, that great advantage might result from the delay, he should move, ~~the~~ instead of the word "now," the words "this day three months" should be inserted.

Mr. Leigh said, he did not wish to press the bill at present, after what had fallen from the right honourable Gentleman; but, if the bill should at present be put off, he should expect the support of the right honourable Gentleman in a future parliament, if he had the honour to meet him there.

The Chancellor of the Exchequer said, he was indebted to gentlemen near him for a suggestion that if the amendment, as he proposed it, "for putting off the consideration of the measure for three months," was agreed to by the House, it might possibly convey an idea that the House had thrown some discredit on the bill, that being a mode generally adopted to express a sentiment unfavourable to a measure in its principle, which he by no means intended to convey upon this occasion: he should therefore submit to the House that perhaps the better way would be, to let the order now standing upon the bill, drop; and then no inference whatever could be drawn of the disposition of the House being unfavourable to the bill.

The amendment was therefore not made, and the original motion for reading the bill now, was, with the leave of the House, withdrawn.

The insolvent debtors' bill went through a committee, the report to be received the next day.

The House then went into a committee on the controverted election committee bill.

Mr. Banks renewed his opposition to the clause of the original bill, which appoints nominees.

Mr. M. A. Taylor contended, that the present amendment which was suggested to the original bill, was nowise connected with the present bill, but ought to be made the ground of a separate motion.

On the question being put, there was not a sufficient number of members in the committee to divide.

KENT INSURANCE BILL.

The *Attorney-General* opposed the Kent insurance bill. He said, that there was no reason why any particular county should be allowed a chartered insurance company, when all had an equal claim.

Sir *W. Young* wished that the system might be extended to the other counties also, as surely no species of corporations so much required charters, as insurance corporations, which had security for their object.

Sir *John Anderson* thought the present bill would be an injustice to the London insurance offices, who had lately paid great sums for losses by fire.

On the question being put, if the bill should be read a second time, there not being 40 members present, the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, MAY 26.

Previously to the ordinary business of the day being entered upon, their Lordships, in a committee of privileges, heard counsel and evidence relative to the claim of the Rev. Mr. Brydges to the Barony of Chandos. The further consideration of the case was adjourned till Friday.

HIS MAJESTY'S LATE MINISTERS.

The Earl of *Suffolk* expressed his wish to learn from two noble Peers then present, one of whom had mentioned his intention to bring forward directly a motion respecting the conduct of his Majesty's late Ministers, and the other had announced an intention of a motion indirectly upon the same subject, whether these Peers persisted in such intentions? as in case they did not, he should hold it his duty to submit a proposition to the House upon the subject himself. What he should propose would go upon three different grounds: First, respecting the principle of the late war; secondly, in regard to the conduct of the late war; thirdly, with respect to what he would call the desertion of those Ministers of their situations; and at a period when the British arms had achieved a conquest, that of Egypt, which was unexampled in the annals of the country, and by that conduct had led to a pacification; which, whether it was safe, honourable, or secure, he would leave their Lordships to judge. He concluded with fixing Thursday se'nnight for his intended motion, and for which day their Lordships were, on the instance of the noble Earl, ordered to be summoned.

Lord *Holland* rose to call the attention of their Lordships to certain papers respecting the application of the money accruing from the four and a half per cent. duties. Nearly two months had elapsed since the order for their production had been made out, on a motion which he had submitted to their Lordships, and he was astonished to find that they were not yet on the table. He had not absolutely made up his mind about the motion which he meant to ground upon them, but it certainly had been his intention to make them the foundation of some proposition to the House, which he was prevented from submitting till they were actually produced. The subject to which these papers referred was one in which the public was materially interested, and he was, therefore, the more surprised that their Lordships' order respecting them had met with so little attention. Unless his Majesty's Ministers were prepared to explain the causes of this extraordinary delay, or expressed their intention to take every step in their power for their immediate production, he should certainly think that they were liable to just and severe censure, and he should feel it his duty to submit a motion to that effect.

Lord *Pelham*, in reply, stated that the order of their Lordships had, as he understood, been forwarded in due form, and he was absolutely ignorant of the circumstance of the papers not being at this time on the table. It was found necessary to send as far as Scotland upon the occasion; but as soon as the accounts could be regularly made up, they doubtless would be laid before the House. He begged leave to assure the noble Lord that there was no disposition on the part of his Majesty's Ministers to withhold the accounts in question, and that no step should be omitted to secure their immediate production.

Earl *Suffolk* rose, and after expressing his entire concurrence with what had fallen from his noble Friend (Lord *Holland*), begged leave to advert to another part of the application of the public money, which to him appeared of great importance. He meant to allude to the manner in which the money arising from the sale of old naval stores was applied. The money arising from this source was, he understood, considerable, and the public had a claim, not as a matter of favour or compliance, but of absolute right, to know how this sum was appropriated. If he was not misinformed, the sums arising from the sale of these stores was applied to the payment of pensions. If pensions to a large amount

amount were granted, and if they were paid out of such funds as this, the public ought to know how the matter really stood. He would not say that many pensions were not bestowed as the reward of eminent services, but there were many other pensions of a very different description; of a description indeed which, he was convinced, the public would not be very much inclined to approve of, especially if they were paid in the manner to which he had now referred. He threw out these hints to give his Majesty's Ministers an opportunity to explain the circumstance, if it really did exist.

Lord *Perham* professed himself unable to speak to the insinuation now brought forward, from his not being at all aware that any such charge was to be produced. He could not, however, help observing on the mode in which their Lordships' attention had now been called to the subject, which to him did appear irregular and unparliamentary. If the noble Lord really wished any explanation on the subject, it did appear to him that it would be much more in order to make a regular motion on the subject, than to introduce it in the course of a casual conversation.

Lord *Holland* thought the subject one highly worthy of their Lordships' consideration, and to meet the suggestion of the noble Lord who had just sat down, he moved, "That an humble address be presented to his Majesty, praying that he would be graciously pleased to give orders for laying before the House an account of the manner in which the money that may arise from the sale of navy stores is applied."

Earl *Romney* declared that there was no one of their Lordships more willing to promote inquiry into the distribution of the public money than he was, but he thought that in the present instance the motion was premature. He recommended to the noble Lord who made it, at least to defer pressing it till a future occasion. There was at present not a single fact before their Lordships respecting the charge alluded to, and he thought they could not, consistently with the general order of their proceeding, agree to the proposed address on a mere insinuation.

Lord *Auckland* said the motion was not English as it was worded, and recommended the postponing it till the next day.

After some further conversation betwixt Lord *Auckland* and Lord *Holland*, the motion was withdrawn.

MILITIA BILL.

The order of the day for the second reading of this bill being moved,

Lord

Lord *Hobart* rose and shortly explained the object of the bill, and the circumstances under which it had originated. He professed himself in a great measure ignorant of the objections which might be used against it, and therefore unable to reply to them on the present occasion. It was only necessary for him to state that it was a consolidation of all the acts passed since the militia was first introduced into this country; attended with those improvements which experience had rendered necessary. He believed that with regard to the propriety of this part of the bill there would be very little difference of opinion among their Lordships. The necessity of arranging and embodying the many scattered acts on the subject of the militia establishment was sufficiently felt by all who were in any degree conversant with the mode of carrying these acts into effect. He would not pretend to conceal it from their Lordships, that he was aware of the proposed augmentation of the numbers of the militia being a principal objection to the bill. There were some of their Lordships who, from this augmentation, might perhaps be inclined to infer that his Majesty's Ministers had very little confidence in the security of that peace lately concluded, and which a large majority of their Lordships had sanctioned by their approbation. For himself, and he was confident he might say for the rest of his Majesty's Ministers, that no such idea as this was entertained. His Majesty's Ministers had no reason to believe that the French Government would not continue to act in the same spirit of conciliation which had induced it to conclude a treaty of peace. It was impossible, however, for any one to contemplate the present state of the continent without seeing that a greater degree of precaution was necessary than at any former period. It was impossible to see the power of France, extended as it now was, without admitting that a stronger military establishment than during any preceding peace was indispensable. It was impossible to look at the immense accession of coast which France had acquired without being convinced that a greater number of disposable forces was requisite to meet any sudden emergency. Under such circumstances it became the duty of his Majesty's Government to take such measures as would enable them to keep up such an establishment as the change of circumstances demanded. In doing this one most important consideration presented itself, and that was, how this could be effected in a way the most consistent with economy. To have kept up a very large regular force would have required a degree of expence

expense which would have borne very hard on the country. In this point of view an augmentation of the militia naturally suggested itself, and it was under such circumstances that the bill originated. There was, however, another view in which the expediency of such an augmentation was apparent. The constitution of this country did not sanction in time of peace a large military force: the people naturally looked to it with jealousy. The militia was at all times a great constitutional force for the defence of the country, and under the present circumstances of Europe, when a large force was necessary, the augmentation proposed was one which he thought could not be fairly objected to. He begged their Lordships farther to consider, that the number proposed to be raised was eventual, and only in case of any extraordinary emergency, and not, in the first instance, as seemed to be argued by those who objected to the augmentation. It was to be considered too that 60,000 was the number proposed in the bill originally framed for the establishment of the militia; considering that the population of England at that time was computed at seven millions, and that it now amounted to little less than ten, the present augmentation was far from being excessive. His Lordship having illustrated these points fully, concluded by giving his hearty vote in favour of the second reading of the bill.

Earl Fitzwilliam had no objection to that part of the bill which consolidated the different acts respecting the militia establishment. The difficulty of carrying into effect the various provisions of these acts, scattered as they now were, was, he allowed, universally felt and acknowledged, and so far as the bill went to embody and methodise them, it had his hearty support. This, however, he considered as by far the least important part of the bill; its grand object was to establish a very large augmentation of the militia forces, and to this he objected in the strongest manner. In all circumstances a requisitionary army was an establishment which, to a certain degree, trampled on the liberty of the subject, and was only to be justified by considerations of national good. It was, at all times, an establishment attended with a certain degree of jealousy; and its numbers were never to be increased beyond what the emergencies of the case required. It was on this general constitutional principle that he objected to the proposed augmentation of the militia, because he saw no emergency to justify a measure which would be severely felt by the people. When their Lordships were called upon

upon to agree to so large an augmentation of a body of forces placed at the immediate disposal of the crown, it was their duty to reflect whether any necessity existed for vesting the executive authority with so great an accession of power. In estimating the degree of danger to be apprehended from agreeing to vest in the crown a power, the abuse of which might be attended with the greatest danger to the liberties of the subject, their Lordships were to judge on general principles, and not on existing circumstances. Because the Sovereign now on the throne might safely be trusted with such a power; because the firmest confidence might be entertained that, in his hands, it never would be turned to any unconstitutional purpose, that was no reason why a power should be conferred which was not justified by necessity. Their Lordships were not to look only to the case of the reigning Sovereign, but they were to consider who might be his successors, and what use they might make of a power capable of such gross abuse, who might be the heirs of his crown and his authority. It was not enough, besides, that the present Ministers might have no sinister views in this augmentation. Did their Lordships know what might be the character and views of future Ministers? Did they know for what purposes so large a disposable force might be employed? Did they know in what manner that public emergency might be described, which was to authorise his Majesty to embody that additional number which, by the provisions of the bill, might, in such circumstances, be raised? Till their Lordships had ascertained all these matters, they could not, consistently with the principles of the constitution, consent to entertain the bill. From this general argument his Lordship passed to another objection drawn from the great inequality with which the bill operated. There was a very large proportion of the community who, by their age, were exempted from service in the militia, who, nevertheless, had as great an interest as any other citizen in every thing which the militia establishment was intended to promote. There were many who, from their profession, or their connection with a particular order, were not liable to be ballotted. There was a very numerous class of useful and industrious citizens, whose situation in life did not admit of their actual service, while all the wealthy part of the public had ample means of purchasing exemption. What was the consequence? Substitutes were rendered essential, and the service of the militia was converted into a levy on the poor. His Lordship

Lordship enforced and illustrated this last idea with great feeling. He conjured their Lordships to reflect, before they passed the bill, on the vast additional burthen which it would impose on the laborious part of the community, who already felt a sufficient degree of difficulty in supporting their families. This was an annual tax on the lower orders of people from which the rich were generally exempt. The greatest Lord in this country paid no more towards raising the militia than the poorest farmer on his estate, nor did the richest merchant contribute more than the porter who carried out parcels from a shop. This was a system of great inequality and injustice. The present bill went to increase it to a very great extent, and for that reason it should meet with his opposition. He could not agree to any measure that went to increase the burthens of the poor beyond what they already were. Perhaps some noble Lords did not know the money generally given for a substitute; he had in his hand a calculation on the subject, from which it would appear, that from the time of the first establishment of the militia until 1798, the price of substitutes rose from six guineas to seven-teen. Then, with respect to the proportion between the rich and the poor, he had an account from Yorkshire, which stated it at the rate of nine in ten. The number of the old militia was not much more than 32,000. This the people might have borne patiently, but he did not think their burthens should be doubled. With regard to the loyalty of the people, he would not libel them so far as to suppose it; the people, generally speaking, were loyal upon three grounds; first, attachment to the Sovereign; secondly, attachment to the constitution; and loyal, thirdly, for the sake and welfare of the country itself. His idea was, that by this measure, something relative to foreign service was in contemplation. From these and many other considerations, his Lordship concluded with moving, "That the second reading be postponed till this day three months."

The Earl of *Carnarvon* said, that he felt no surprize that the noble Secretary of State was not acquainted with the objections likely to be made to the bill, which he has just opened, whose merits he therefore presumes to be unobjectionable, for certainly he has undertaken a complete change of the militia laws, without being acquainted with its principles, and without communication with those persons, who, from their long service in the militia, might have been able to give him some information on a subject on which he pro-

selfish ignorance; with all the confidence which usually attends it. In a late respectable meeting of lieutenants of counties, it was asserted by a right honourable Gentleman, that the author of this bill had extensively communicated with persons the most conversant in militia matters, and attached, to its true spirit, who had approved of his proposed plan; on reference to a great many persons of that description then present, persons of the highest rank and consideration in the country, lieutenants of counties, and men in high militia command, not one single person had received any information from the author of this bill, nor had communication with him on the subject till the bill was printed; indeed he knew them to be too much attached to the genuine system of the militia, to give countenance to a plan obviously calculated for its perversion. The original principle of the militia is so much disfigured by the tutelage it has undergone in the war office, and the ministerial protection it has received from the noble Secretary and his predecessors, that it is, in its present state, scarcely to be recognized by its old friends and patrons; on every fresh attempt to alter and (as they have called it) amend this once favoured system, it has been necessary to search like an antiquarian, to discover its old foundations, amidst the heterogeneous rubbish with which it has been oppressed. The war office has constantly affected to consider the militia as an awkward army to which some praise was due, though it required a mother's, I should say a step-mother's care to correct its errors, which it was hoped, after substantial changes, might render it servicable in the military establishment of the country. We have, however, had to lament, that every change has eradicated a vital principle from the militia, and by this bill, (I wish I could say that they had consigned its mangled remains to the grave) they have consolidated, as they phrase it, all the mischief they have at various times done, and finally destroyed the zeal and attachments of its friends. Its principles, however degraded in practice, and almost obsolete, may still be traced in the preamble of the existing act, from which, at this moment, it draws its last breath. The words of the preamble (never more to be heard, for they are discarded from the new bill, with which they are incompatible) still echo the patriotic voice of its first institutors; and the House may possibly still remember enough of its origin, to know that it did not draw its existence from the Privy Council, nor flow from the alien sources of the war office; that the militia was not fabricated

at a ministerial forge, but proceeded from the patriotic and constitutional closet of men of another description; that it was founded in a parliamentary and national jealousy of a standing army in time of peace; that it was intended not only as a defensive force against the sudden efforts of unexpected hostility from without, but as a sort of counterbalance in the hands of the country, against the growing necessity (from the altered situation of Europe) of a standing army in time of peace, at once repugnant to the genuine constitutional feelings of Englishmen, and the (long departed) jealousy of Parliament. The most sanguine advocates for a militia, did not consider it as a military improvement to the war establishment of an army, professionally officered by experience, but as a safe peace establishment, to repel the first unexpected burst of war on our coast, and particularly on our two maritime depots, Portsmouth and Plymouth, to the protection of which, the old numbers are fully adequate. The Ministers, at the time of its first establishment, saw no advantage to be derived from constitutional jealousy, and did not therefore, favour this system; but they did not then, as now, take it under their patronage, with hopes of its corruption. The land owners and occupiers, found themselves under the necessity of maintaining their own offspring, by a willing submission to pay from their private funds, the levy of this constitutional home defence, this domestic garrison against internal commotions, affecting the rights of the crown or the people, limited in its numbers, and bounded in its expense, but sufficient to maintain the security of the country, from the sudden insidious attacks of our foreign enemies during peace, and until open war had delivered the care of the country to the prerogative of the crown, instructed (through the watchful eye of its Ministers) of the gathering storm, and prepared to meet its approach. The militia never was meant, or is in its nature calculated, for a force on which the defence of the country was solely to rest; it had, however, still a useful and valuable occupation, after the first irruption of war, for it remains a part of the defensive force, constantly remaining in the country, and from its perfect local knowledge of the counties from whence it draws its existence; it was peculiarly adapted to second the vigour of its defensive army, should we ever have the misfortune to see an enemy bold enough, or able to try the internal vigour of this island; a British army with the proper regiments of militia attached, would derive local advantages which could not otherwise

otherwise be so well attained, for this purpose also, the present numbers are fully adequate. In order to prove the original principles of the militia, I have only to read the preamble of the militia act, of the 26th of the King; and in order to show how much the present bill deviates, I need only observe how much of that preamble is discarded, as inconsistent even with the professions of this new system: the words are, "That a respectable military force under the command of officers possessing landed property within Great Britain, is essential to the constitution of this realm, and the militia as now established has been found capable of fulfilling the purposes of its institution, and through its constant readiness at short notice for effectual service, &c." The authors of the present bill, have adopted only that part of its preamble which states landed qualification to be essential to the constitution, and even this part of the preamble, the present provisions of the bill are ill calculated to support; they have omitted the legislative approbation, founded on the experience of two wars; and, indeed, they are reduced to the necessity of asserting peremptorily (in the teeth of the approbation and thanks even of the present Parliament) that the militia has not fulfilled, during the late war, the purposes of its institution; it must be supposed to have failed, or the present bill would lose its foundation. They have discarded also the descriptive character of the militia, for their new-fangled force will not bear any analogy to a militia in constant readiness at short notice.

The object of this bill is clearly not to improve the system of a constitutional militia, but to obtain a very great increase of men, at less expence of the public purse, (whatever it may cost individuals) under the name of militia, and to trust to future contingencies for its conversion into an army. A review of the conduct of the war-office, during the late war, respecting the militia, old and supplementary, places it beyond doubt, and proves that the war-office cannot expect that the augmented numbers now proposed, can remain a militia force in time of war, disposable only within the island; as is now again solemnly promised in the new bill; or that the situation of public affairs should not, in every future as in the past war, justify or furnish a pretence for similar conversions of militia into army, which has of late degraded the militia, so that nothing but the name and its burthen remain. The augmentation now proposed is not as the noble Secretary of State has stated, of 20,000 men; and those

those only eventually to be raised on the counties; a portion also of the 40,000 men, immediately to be raised, is equally an augmentation; the numbers are raised from 32,000 to 60,000 in the whole, and nearly doubles the burthen, which my noble Friend (Earl Fitzwilliam) has well stated, and proved to be the most unequal, and therefore the most oppressive tax which imagination could invent; and indeed so unjust and oppressive, that the most arbitrary government in the world, without a Parliament to participate of the odium, would not venture to impose it on the most patient people. This supplementary militia, which is only eventually to be raised, has, for that very reason, no similitude to a militia, which from its very nature ought to be raised and trained previous to the event; and "in constant readiness at short notice" to meet the event; the supplementary part of this new militia is therefore a mere army, and so intended, if the 40,000 men could, with twenty-one days annual training, be deemed a militia in constant readiness; the supplementary is confessedly of another nature, it has all its faults and none of its merits; it is equally unjust and oppressive as a tax, and cannot be ready to act on short notice, for it can be raised only on the pressing emergencies of war, when an army and not a militia is wanted; and when it is raised, it must and will be treated as the supplementary militia was this last war, in breach of every militia principle, and of every parliamentary assurance that the persons paying the unequal burthens of the augmented militia should have the benefit of an unalienable home defence, never to be sent abroad, nor to be otherwise employed but as an insular garrison; all which (as soon as the assurances had served the purpose of obtaining the levy money by partial burthens) were forgotten, and the *salus populi*, so often the alledged, and so seldom the true motive, was held out as a justification for depriving those who had without a murmur submitted to oppressive burthens, and had undertaken with disinterested zeal a laborious service, of all the advantages for which they exclusively had paid, and of all that made the service palatable or honourable. The population of the country, increased as the noble Secretary asserts it to be since the former number of 32,000 was fixed, cannot justify the proposed numbers, which the recent experience of the late war has proved to be incompatible with the public service, and the population in the short period alluded to cannot have varied. The situation of the country in the midst of the late war was unaccountably stated to require

an additional militia, not an additional army; the friends of the militia felt its approaching ruin in the proposition, and resisted it, but the act for augmenting the militia passed on the 17th of November 1796. In fifteen months after passing this act, the war augmentation of the militia had been felt so detrimental to the army levies, and so incompatible with the public interest, that another act passed on the 12th of February 1798 (for ever destructive of militia principles, and of the zeal of those engaged in its service) by which act the recruiting serjeants of the line were turned loose on the militia, to seduce for foreign service the best men raised and trained by the zeal and patriotism of their officers for home defence, and bribe, with the public treasure, men raised at the expence of individuals. The mischief arising from an encreased militia still subsisting, and the precedent of recruiting for the army from the militia having been established, a similar act and for similar purposes, passed on the 21st of June in the same year; and as if the true purpose of a militia was that of a decoy and drill for the army, another recruiting act passed on the 12th January 1799, and the militia was again disgraced and degraded on account of this impolitic increase, which it had earnestly deprecated; and again, on the 8th of October, in the same year, the last gleanings of men fit for service, were delivered up to the recruiting serjeants. This is the history of the advantages derived by the nation, from an encrease of the militia; this is the benefit to be derived from a supplementary militia raised in time of war. This is the true and genuine history of the project of the supplementary augmentation, in breach of the contract made by Parliament with those who, by their activity and patriotism, levied and trained the militia. The army was crippled; the fair and honest pride of the militia was broke; the zeal of those independent gentlemen destroyed, whose services were seduced by other promises and other hopes, than that of being degraded to the situation of drill serjeants for the army. All this mass of mischief did not naturally arise from the first error in the impolitic encrease, for the youth of England whose martial spirit had been locked up for home defence, to the prejudice of army service, might, without so much waste of public faith, and destruction of militia principle and zeal, have been restored to the open market, from whence the army is voluntarily supplied; but the supply of the army was not more earnestly desired by Government, than the perversion of the uses of a militia; and they were either weak enough

Enough to think that it was possible that militia officers, whose independent situation in the country made their service *essential to the constitution*, might tamely be degraded to the character of crimps for the army; or they meant to disgust that class of officers so described by the act as essential to the constitution, in order to drive them from their situation, which they had prepared to fill with half-pay officers, unqualified by possession of land, under a clause in the supplementary act, enabling the King to do so, in case no persons of landed property should offer; that this last supposition is most probable, may fairly be conjectured, by the system of recruiting from the militia, which following so closely that of its august institution, it cannot be doubted was foreseen and intended at the moment of the increase, and occasioned the clause to supply the retreat of persons of landed property from a degraded service. Is there a noble Lord who has seen these circumstances with so much indifference, as not to feel for the situation in which these measures (originating from an impolitic increase) placed those officers, whom disinterested zeal and patriotism alone could have induced to quit their domestic comforts, and obey the summons of Parliament to fill an important trust due 'to the constitution of their country?' Is there a noble Lord who could approve the force imposed on officers to deliver up to recruiting serjeants of the army, the choice and well trained men of their respective counties, persons known to them from their birth, fellow-soldiers in the strictest acceptation of the phrase, attached to them from local circumstances, and with whom they entertained the laudable hope and confidence, that they might acquire reputation and honour in the sight of their country, and the enthusiastic comfort of protecting at their own doors all that is dear to men, and doing the state essential service? We have seen with indifference officers who looked to no other reward but their own feelings, degraded to the situation of drill serjeants, stripped of all that makes ambition virtuous, deserted by all that had nourished in them an honest and useful pride, and left to serve at the head of the miserable refuse of men, rejected by the recruiting vigilance of army inspectors, without hopes of that honour and reputation to which they had looked with enthusiasm, and exposed to the diminution of each, if they did not even in the momentary expectation of an enemy on our coast, fly from a standard from which the fair hopes of reputation and honour was already

ready

ready fled, and where nothing but disgrace, hopeless disgrace, and useless danger could be their portion; nothing was left to them, but the miserable alternative to quit at such a moment of danger to their country, or to remain dishonoured, spiritless, and without zeal.

Is there a noble Lord who can without indignation hear the proposed renewal of a militia augmentation, already so fully tried, and found impracticable, and which must and will be followed by the same consequences, namely, distress to the army, and ruin and disgrace to the militia. The noble Secretary of State has in his opening insinuated, that in this consolidating act all those offensive parts have been omitted, and that the legislature by this act declares, that the militia shall remain unalienably for home defence, and that we ought to rest assured of it. Does the noble Secretary of State really think that any hopes (after what has so recently passed) can be derived from such renewed assurance? Were the former assurances less extensive, or less strong? and has not an unfortunate precedent given sanction to a deviation from legislative assurance, on the unanswerable, though not obvious, ground of public necessity? Has it not been proved uncontrovertibly by experience, that the augmentation of the militia was detrimental to the public service; and that the legislative assurances were forced to give way? What has happened may, and must happen again. The Legislature has declared, after the experience of two wars, that the old numbers had fulfilled the purpose of their institution. The Legislature has by repeated acts declared that an augmented militia has been detrimental; and yet the proposed augmentation is confidently urged in defiance of legislative and ministerial experience. But the noble Secretary of State says that it is an economical plan; trick and injustice may make it so to the public purse, but it must be by a profuse waste of individual property; the substitute for the balloted militiaman has cost his principal 17l. as my noble Friend has proved; to seduce him from that service into the army has cost the public revenue 10l. and upwards: the whole cost before he becomes an army soldier amounts to 27l. Where then is this boasted economy? With half the money, and no injustice, the army could be supplied with men; but, indeed, it is too obvious that the term militia is meant to afford the pretence to throw the burthen on the occupiers of land and a few others, to the ease of placemen and pensioners, and a long list of exempted persons.

persons. The expence of the militia levy falls, as a tax, not with equal distribution on those interested in the public defence, but with notorious inequality; all Peers, all women and minors (be they ever so rich), the whole body of clergy, the universities, the dock-yards, the army and navy, for even these last should not be exempted from any tax to levy a militia for the public service, more than the militia from any taxes supplying the pay and levy of the army and navy; add to these exemptions the long list of volunteers to parade once a week at their own doors. All these exemptions reduce the numbers on whom the expence of finding substitutes exclusively fall, so that the burthen is felt most heavily; and this unequal burthen is now to be doubled, without a shadow of justice. But the unequal tax does not end here; great pecuniary burthens, besides the expence of providing a substitute, accompany the militia establishment: half the substitute price must be paid by every parish to every man on whom the lot falls to serve, if he is not possessed of 500*l*. the expence of the families of the poor who serve, and a variety of other contingent expences, are all charged on the parishes or counties; and these parochial or county burthens fall solely and exclusively on those who pay to the poor rate, on what principle of justice I know not, unless it is, that having been unjustly burthened with the sole maintenance of the poor, they could not complain of unprecedented injustice if the sole burthen of those pecuniary levies for the militia was also imposed on them; and patience and endurance of sufferings seem to give an air of justice to oppression. This tax therefore, almost solely and exclusively, falls on the occupiers of land, to the case of all placemen and pensioners, who contribute to make poor, but do not contribute to their relief, or pay to the poor rate; from this burthen all stockholders, all commercial wealth, all colonial property, though equally interested, are exempted. It has been said that all this might have been argued against the original militia, so it certainly might; but though in its original and unperverted state, and in its limited numbers and expence, it was submitted to with patience, and considered as the purchase of a constitutional home garrison, and protection against external and internal enemies, it is no argument for a burthensome and injudicious extension of a militia, only in name, rendered unpopular and odious, and quadrupled in its burthen by multiplied exemptions. If there was no other objection to the encrease of numbers than the inequality of the tax, I should ask the noble Lord to argue

the justice of the distribution, and should not feel the least apprehension that he would be able, even to his own conviction, to substantiate its equity. The changes made and proposed in the militia have destroyed its popularity, and Government has succeeded in making it odious; its annihilation would now be acceptable; by its continuation and extension it becomes an odious and oppressive tax. The experience of last war has worn out the spirit and principles of the institution, and this bill, so far from reviving it, must remove all hopes that the Legislature would take some means to reprobate the practice which has disordered the frame and principles of militia, without benefit to the army. As a tax, it must be felt oppressive and unjust; stated as a constitutional force for home defence, it is now an insult. Its diversion from its established duty for the idle project of restoring the government of Holland, and the recent failure of the project of an increased militia, has opened men's eyes on the faith due to ministerial contracts and assurances, and on the impracticability and consequences of such encrease. The renewal of the same in effectual declaration that landed qualification is *essential* to the constitution, and the same repeated limitation of service to Great Britain, can have no further weight. The people cannot feel confidence in the stale repetition of ineffectual assurances; they find in the late supplementary act, that half-pay officers, without any qualification of land, was deemed by the Legislature as a sufficient substitute for this *essential qualification*; and the contract for limited service has been treated with such neglect, not to say contempt, that whoever again rests his faith on the assurance must be of singular credulity, especially when he cannot doubt that an augmented militia must draw on the same derivative fate. It is impossible to convert the militia into an army, and by this attempt you will lose one of the great resources in time of invasion, that of a favoured and popular standard, to which the youth of England will with spirit and ardour resort; but a burthensome and odious standard, a decoy and drill for the army, a signal for oppressive taxation, will have no allurements, it will be an object of reproach and aversion. During the last war, when militia principles were deemed respectable, and the system popular, I had the very uncommon pleasure of seeing the effect of the attraction which a county standard had on the minds of those who from their youth upwards had looked to it with unvaried attachment and zeal, as an unalienable domestic duty, to which they were bound by kindred

dred affection; the French fleet was within sight of the coast of Devon, my regiment was encamped three miles from Plymouth; in the night we were alarmed with the noise of approaching multitudes, we feared an assemblage of French prisoners on their paroles, but my alarm was soon converted into a pleasure I never before had felt; and do not know how to describe, when I found that it was the youth of Devonshire, the greatest part having formerly served in its militia, who, thinking the enemy had landed, came with eagerness to serve with their relations and friends in their county regiment; I forgot at the moment that a battalion of the Devon was at Plymouth, and proposed their junction with us; they asked who we were; but they considered the Wiltshire regiment as strangers and aliens to their feelings, and declared their intention to return home if they could not find their county regiment. The pleasure I felt at this event was doubled at the rejection we experienced; and, I for the first time, felt the advantages which might be derived from a militia which had excited a partial and local patriotism more concentrated, and capable of stronger energies, though not destructive of that general patriotism which points out indiscriminately to the whole. The feelings productive of these advantages (not sufficiently estimated in the War-Office) you are about to extinguish for ever. The wounds inflicted by the impolitic practice of the late war required healing with wise palliatives; confidence ought to have been restored by more pointed and solemn assurances and pledges from Parliament, sufficient to dissipate the apprehensions that what has been done may probably be done again. But this bill, by renewing the situation of an augmented militia, with the same repetition of ineffectual promises, will consolidate the memory as well as the mischief of those acts which have flowed from the War-Office, to the ruin of a constitutional militia.

The *Marquis of Buckingham* rose to state the reasons which would induce him to vote in support of the present bill. He said he was as great a friend to the Militia as his noble Friend who had just sat down, having spent many years, and some of the happiest hours of his life, in that service. He agreed that the introduction of a supplementary militia, and the enabling the men to be drafted out of it to serve in the army, had been a violation of one of the first principles of the militia as a constitutional force. It might, perhaps, be asked, if he had felt that sentiment, why had he not come

down and joined in resisting it when the bill was discussed in that House? The reason was, that he was given to understand that it was a measure adopted upon the spur of a great and pressing emergency, and that men were so much wanted that they must be got almost by any method by which they could be obtained. With regard to the present bill, the Marquis said, that whether the peace-just made was a secure one, or whether it was as bad a peace as he thought it, he was of opinion that the proposed augmentation of the militia was a wise one, and he would state why he thought so. He had observed, at the commencement of the two last wars, the American war, and that just terminated, we had been obliged to have recourse to additional corps. He approved of the present bill, because it would do away the necessity of recurring to that practice on the commencement of a future war. The Marquis agreed with his noble Friend, (Lord Carnarvon) that what had been done during the war had taken away the standard to which all the country might resort and unite for its home defence, and he commended the conduct of the regiment of the old Devonshire militia, as stated by the noble Earl in the anecdote he had related, relative to the circumstance that took place while he commanded the Wilts militia, when stationed at Maker Heights, near Plymouth. But he declared he had not been able to follow the argument of the noble Earl so as to understand how the imputation of a breach of contract by the proposed augmentation of the militia was established. He agreed with his noble Friend (Earl Fitzwilliam) in most of his argument as to the encroachment on the constitutional liberty of the subject, to which, in effect, the militia amounted, but, he said, the raising a home force, commanded by men of property in the kingdom, was certainly preferable to the having a large standing army in time of peace, and, as they were less subject to the influence of the crown, they were a more secure guard against any stretch of the prerogative of the King, and more likely to preserve the freedom of the people than any other species of military that could be proposed. His Lordship concluded with declaring, that he should give his hearty vote for the second reading of the bill.

The Earl of *Carnarvon*, in reply to the Marquis of Buckingham, said that he did not desire to reply to the arguments used by his noble Friend and relation, but simply to explain that he meant distinctly to assert, that whenever any assurances or inducements were held out (from any quarter where power

power resided) for the purpose of alluring any class of men to enter into any service, or bear any peculiar burthens, with a view to obtain the object of those assurances, a solemn contract did exist, more binding than where the power to break the contract was equal.

Lord *Ramsay* said, as the bill had been so ably argued by the noble Earl near him, (Earl Fitzwilliam) and the same line of argument so strongly enforced afterwards by his noble Friend behind him, (Earl Carnarvon) he would not detain the House by going into detail upon it. He conceived that the bill held out two objects for discussion; the consolidation of all the former acts on the subject, and the augmentation it proposed. To the former he had no objection, but respecting the latter he must differ from the noble Marquis, and one reason was, that he thought it would be impossible to get officers properly qualified in respect to their property, which he had ever considered as the best security for the preservation of the constitutional rights and privileges of the subject. When the supplementary militia had been raised, the difficulty of getting men in the counties was so great, that it became necessary to send recruiting parties into towns to fill up the regiments. There was, therefore, no difference, in a constitutional point of view, between them and a standing army, though, perhaps, a great deal of difference in a military point of view. He reprobated, in severe terms, the sending away that militia to recruit the army going to Holland, and probably the very thing will be done again. His Lordship concurred with other noble Lords in what they had said respecting the manner in which the first and most essential privileges of the militia had been invaded and violated during the war, and said that it was impossible to say how long the peace might last, but let war break out ever so soon, he hoped the same liberties would not be again taken with the militia as had been taken in the late war. He declared he should vote for the motion of the noble Earl to put off the second reading of the bill for three months.

Lord *Clifton* (Earl of Darnley) said, he should certainly give Ministers his support on the present occasion, and vote for the bill; he did not, he said, after the bill had been so fully discussed, find it necessary to go into the subject in detail, but he must declare that some of the arguments used by those noble Lords against the augmentation of the militia proposed, did appear to him to be the strongest reasons that could be selected for agreeing to the measure. Because, if

40,000 were a constitutional number of militia, he did not see why 30,000 additional were not equally so; and if experience had shewn that in former wars it had been found necessary to raise additional corps on the sudden, it surely was much more prudent in a time of peace to make a provident regulation which was not to be resorted to but eventually, when an occasion should unexpectedly arrive to make their being ballotted for and called out necessary. His Lordship concluded his short but pertinent and pointed speech with declaring his intention to support the present Government, whenever it was in his power to do so. He said, he gave his Majesty's Ministers full credit for the best intentions, and could not but regret the necessity he had felt of animadverting on the definitive treaty, but conceived it to be his duty to take the part he had done, however painful to his own feelings.

The Earl of Radnor rose, and said he felt most of the objections stated and argued upon by the noble Lords near him, and declared that he was so much hurt at the innovations made on the original principles of the militia during the late war by the late Secretary for the war department, that he had at one time intended, as he had mentioned in the House at the time, to have introduced a bill for the abrogation of the militia altogether, and he really thought it would be better that it should be abolished, than for the gentlemen who commanded companies, and had taken great pains to discipline their men and make them fit for the field, to be converted into mere recruiting serjeants for the army, for in such light only could they be regarded, if they were again to be liable to have their men, as soon as they had learned, enticed and bribed to leave them and enter into the army. His Lordship spoke upon the right of making use of the militia for the defence of any part of the King's dominions, and that considering Ireland and Great Britain now as one and the same, were he in a future militia he would as soon go to Ireland with his regiment as to Newcastle, or any other town in England. His Lordship observed, that the menacing attitude of France rendered it peculiarly proper on the part of this country to augment her means of defence in the event of a sudden renewal of the war. It was particularly incumbent upon Government to place the military peace establishment upon an infinitely larger scale than at the close of the American war. The situation of the country, with reference to neighbouring powers, and the general state, differed widely from

from what it had been at the commencement of any former peace. The peace recently concluded was one which, however earnest he might be in his hopes for its duration, possessed none of those characteristics affording a sanguine assurance that it would be secure or permanent. It was considered in that point of view not only by him but by some of the ablest men and greatest statesmen the country could boast; surely then it would be the height of impolicy to leave the country, at such a period, with limited means of defence, in case the necessity of resorting to defensive measures should occur; and more especially when it was considered, that if hereafter the appearance of affairs should change, and the necessity for so large a militia should cease, Parliament would at any time have the power of withholding the supplies for such a number as were to be sanctioned by the present bill. His Lordship concluded with saying, that though he agreed in argument with his noble Friends near him, yet as Ministers, in the very moment, as it were, of their having told Parliament that they had made a safe and honourable peace, thought proper to call upon Parliament to vote so large a force as a militia augmented to the considerable amount stated in the bill, he should certainly think it right to support the bill.

Lord Pelham said, that having been many years in the militia, he could not but take notice of some matters that had been stated in the course of the debate, and first he would observe, that noble Lords were mistaken in supposing that the men were bribed or intoxicated, or any arts practised to induce the militiamen to leave their regiments and enlist in the regulars; at least he could answer for the regiment of militia he commanded himself, in which the men were called out in the open field, and were publicly asked, if they chose to enlist, when several volunteered their services. In answer to another point, viz. its having been supposed that his noble Friend near him (Lord Hobart) had said that the peace was secure and would be lasting: he had said nothing like it, but had merely declared that whether the peace was safe and lasting or not, still the present measure was deemed advisable on account of the altered situation of France. With respect to the bill itself, his Lordship argued strongly in defence of it. He said, it only provided for an eventual increase of the militia in case of sudden necessity, but it did not take away from Parliament the power of exercising its authority over that increase, because, whenever his Majesty should find it necessary to call them out, his Ministers

nisters must apply to Parliament to vote their pay and clothing. His Lordship said, he should not say a word as to that object of the bill which went to the consolidation of all militia laws in one act of Parliament, because that point they were all agreed in. But he would remind the noble Lords who had offered their objections to the bill in regard to the augmentation part of it, they would find several of those objections done away by the clauses of the bill itself. With regard to the strong language held by the noble Earl opposite (Carnarvon), he presumed that he did not mean to apply it to persons, but to the measures themselves, because he never could think that he, who had been for so many years in the militia, had been all that time imposing a levy on the poor, in the manner complained of by the noble Earl. The militia was certainly a desirable constitutional force, and all men indiscriminately, the rich as well as the poor, the high as well as the low, were liable to be drawn for it, and if it were true that there were clubs by which, on paying half a guinea, a poor man could have a substitute provided for him, he would be a gainer rather than a loser by being drawn. His Lordship combated the arguments advanced by the noble Lords hostile to the measure, and, after paying a just tribute to the zeal, valour, and loyalty of the militia, upon all occasions, during the late war, when those qualities had been called into action, he applauded the wisdom of those who, in proposing an addition to the peace establishment of that body of the national force, had enabled the country to regard with tranquillity the intentions of the powers by whom we were surrounded.

The question was put that the word "Now" stand part of the motion. The House divided, contents, 22; not contents, 6. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, MAY, 26.

Mr. Newbolt called the attention of the House to a mistake in the return of a burgess for Newtown, in the Isle of Wight, in which the name of Evan Law was inserted, instead of Ewan Law, the gentleman actually elected. The election of Mr. Ewan Law being proved by Robert Clarke, Esq. the returning officer, the deputy clerk of the Crown was ordered to amend the return, and Mr. Ewan Law was then introduced, and took the oaths and his seat.

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The auction duty exemption bill was read a second time, and ordered to be committed on Monday.

The Irish national debt bill, and the medicine bill, were read a third time and passed.

The British fishery bill was read a second time, and committed for the next day.

The franking bill was reported, and ordered to be read a third time the next day.

The House having resolved itself into a committee on the bill for empowering his Majesty to accept the services of certain volunteer corps, &c.

The *Secretary at War* proposed a clause to enable his Majesty to accept of the services not only of such corps as had already made a tender of them, but likewise of such corps of the same description as might hereafter make a similar tender. He also proposed a clause for exempting persons so serving from the hair-powder tax, turnpike tolls, &c.—These clauses were agreed to.

Sir Edward Knatchbull was for extending the exemption to constables, and, in general, to all parish officers who might serve in these corps. The proposition was objected to by the Secretary at War, *Sir R. Buxton*, and *Mr. Shaw Lefevre*. After which the original clauses were carried, and the report ordered for the next day.

The Cornish miners bill was read a first time, and ordered to be read a second time the next day.

Mr. Burdon rose to make his promised motion for having the report of the committee on the merits of the inventor of the life-boats referred to a committee of supply. That report had been so long before the House, that he thought it wholly unnecessary to enlarge on the claims to which, in his opinion, the invention was entitled to. He should only corroborate that opinion by observing, that the Trinity House, that the Society of Arts and Manufactures, and that the Underwriters at Lloyd's, had not only pronounced the invention to be of the most important use, but that this testimony of the latter description of gentlemen has been further evinced by a gratification to the inventor of one hundred guineas, and a subscription of 2000*l.* for encouraging the construction of life-boats. These additional testimonies to what the committee were already in possession of, would, he trusted, induce the House to accede to the motion he should now have the honour to make, viz. That the report of the committee on that subject be referred to a committee of

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supply. As to the day on which he should move it to be referred to that committee, he was not at present prepared to state; but he should take care to give due notice to the House of such his intention.

The question was then put and agreed to.

The House resolved itself into a committee on the alien bill, to which committee the definitive treaty was previously referred by the Attorney General, and an instruction given to the committee, that they have power to enable one of his Majesty's principal Secretaries of State to issue his warrant for apprehending and bringing to justice persons accused of murder, forgery, or fraudulent bankruptcy, belonging to the French Republic, Spain, Holland, &c.

Clauses to this effect were brought up and agreed to, and the report of the committee ordered to be received the next day.

Mr. *Tanfittart* brought up the national debt reduction bill, which was read a first time; and on the motion, that it be read a second time the next day,

The *Chancellor of the Exchequer* rose and observed, that he should be glad to know when it might be convenient for those Gentlemen, who were anxious to deliver their opinions on this subject, to enter into the discussion of it in the committee. Nothing came nearer his wishes than that this business should undergo a full, ample, and satisfactory discussion; and on his part he was disposed to give every explanation upon it that might be called for. The accounts that were moved for and expected, would the next day be ready to be delivered to the Members of the House; but as they must be aware that the session was now drawing near a close, and as the subject in question had already been some time under the consideration of the House, he hoped that a week's notice would be fully sufficient to give every gentleman time to prepare his observations. He should, therefore, when the bill was read a second time the next day, move that it be committed on Wednesday next.

The Irish yeomanry, and the new police bills were read a second time, and committed for the next day.

SUPPLY.

The order of the day was next read for the House to resolve itself into a committee of supply; and on the motion that the House do now resolve itself into the said committee,

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MAY 16.]

SUPPLY.

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The *Chancellor of the Exchequer* rose and moved, that the estimate presented to the House by Mr. Vanittart, on the 26 of April ult. be referred to the said committee.

The House having gone into the committee,

The *Chancellor of the Exchequer* moved, that the sum of £73,535l. be granted to his Majesty for making good the allowance to be paid to the suffering clergy and laity of France, to the sufferers in Saint Domingo, to the American loyalists, &c.

Mr. *Jones* expressed an earnest wish that this might be the last vote in favour of the French clergy, who in his opinion, should now receive no inducement from this country that could dissuade them from returning to their native soil, where they might be beneficially employed in contributing to forward that mode of belief and worship of which they had been the preachers, and which the restoration of peace, and return to better principles, had lately re-established in France.

The *Chancellor of the Exchequer* observed, that it must be as naturally the wish of the French clergy to return home, as it was the policy of this country, under the present aspect of affairs, not to hold out any inducement to counteract that wish. So far was it from being the intention of Government to hold out any inducement of that nature, that, on the contrary, every encouragement and facility would be furnished to those who were anxious to return, without however attempting to press that return in any manner that might appear inconsistent with that humanity, generosity, and liberality, with which the misfortunes of that unfortunate description of persons had been received and relieved in this country. Indeed it was the intention of Government to furnish such of them as were desirous to return home, with four months in advance of their usual allowance, and so many of them had already come forward to solicit that advance, that he was sure the estimate on this head would soon be considerably diminished, and that in the course of the next session it would be found to amount to very little indeed. And this he was induced the more confidently to expect, as the changes that had lately taken place in France, and the principles that seemed to guide her rulers, fairly offered, if they were persevered in, the best pledge of the continuance of that good understanding which was now happily re-established between the two countries. The change of opi-

nion, which permitted the return of the emigrants, was not only a circumstance that promised favourably to them as individuals, but also gave room to entertain auspicious hopes for the furtherance of a wider and more general concern.

Mr. *Jones* rejoiced to hear the right honourable Gentleman express sentiments which argued a perseverance on his part to uphold, by every means in his power, the system of conciliation, which it seemed to be the object of his administration to pursue, and which every well-wisher to his country may expect, will not only promote, but eternize the harmony which was now happily re-established between the two greatest nations in the world.

Mr. *Henry Addington* observed, that a part of the vote was not merely an act of humanity, but of justice, as it related to the *St. Domingo sufferers*. With respect to these, the Board which had been established for the purpose of investigating their claims, had been extremely diligent, and he was of opinion that all these claims would be got rid of in less than a twelvemonth.

Mr. *Robson* observed, that there was not so much for the French emigrants as appeared, a part of the vote being for the American loyalists.

The *Chancellor of the Exchequer* said, the expence of the American loyalists amounted to about 32,000*l*.

The House having resumed, the report was ordered to be received the next day.

The committee on the Irish linen manufacture bill was deferred till Monday.

Mr. *Robson* rose, and adverted to a number of inaccuracies in the papers laid before the House, on the finances of Ireland, and wished that some account might be produced of the outstanding debt of Ireland previous to the Union.

Mr. *Corry* observed, that the state of the Irish Exchequer previous to the Union, was already in a great measure before the House, and what remained to be presented was already in an advanced state of preparation. He did not hesitate to promise that the whole would soon appear in the most perfect and accurate form.

Mr. *Robson* was proceeding to move for a variety of financial accounts, into the nature of which he had entered at some length, when he was called to order by

The *Speaker*, who observed that the accounts which the honourable Gentleman seemed anxious to produce, were already ready

ready contained in papers on the table, and he did not, therefore, conceive it to be proper that the same identical accounts should be again moved for.

After a long uninteresting conversation between Mr. Corry and Mr. Alexander, who complained of the loose manner in which accounts of so intricate a nature were called for, and Mr. Robson and Mr. Jones, who insisted that the accounts were full of blunders, Mr. Robson deferred pressing any motion on the subject till the next day.

Mr. Corry then moved, that there be laid before the House an account of the general heads of service to which the sum of 334,000*l.* had been applied, which was granted by a vote of credit for the service of Ireland. Ordered.

The report of the committee on the coroner's bill was deferred till Thursday se'night.

The other orders of the day were then deferred, and the House adjourned.

HOUSE OF COMMONS.

THURSDAY, MAY 27.

Sir Edward Knatchbull gave notice that he would not proceed any further in the Kent insurance bill, this session, but intended to take it up again in the first session of the new Parliament.

The reports of the committees on the Irish yeomanry bill, and the South Sea fishery bill were ordered to be received on Monday.

Mr. Alexander said, that from the lateness of the season, it was not intended to proceed any further this session in the overseers' bill.

The consideration of the police bill, and the Irish Militia subalterns' bill was postponed till Monday.

A committee was appointed to consider of an indemnification to be made to the sugar coopers for any losses they may sustain by the proposed improvements of the port of London, and the petition formerly presented by the sugar coopers to this purpose, was referred to the said committee.

CULTIVATION OF TRINIDAD.

Mr. Canning, to bring forward his promised motion respecting the cultivation of the island of Trinidad, said:

—Mr. Speaker, circumstances, which I do not think it necessary to trouble the House with explaining, as I could not expect

peck them to enter with any degree of interest into such an explanation, have prevented me from taking any part in the important discussions which have lately occupied Parliament. But although by these circumstances, and by the feelings arising out of them, I have found myself precluded from expressing, even by my vote, the opinion which I certainly have formed upon the general subject of the treaty of peace which His Majesty has been advised to conclude; yet, that treaty being once concluded, and having received the sanction of Parliament, whatever may be my private opinion of the peace, there is but one duty, for every Member of this House, and for every good subject of this kingdom, to endeavour as far as in him is to make the best of the new situation in which the country is placed by it, and to turn to the best account the advantages which are left to us; and in that view to push, as far as it is capable of going, the improvement of those valuable acquisitions, which, from among the numerous and brilliant conquests of the war, we have been fortunate enough to be able to retain. I do assure the House, that it is with this view, and in this spirit, that I have presumed to solicit their attention to one of those two important acquisitions, the island of Trinidad. I will not deny or disguise that my attention was first and most forcibly drawn to this island, by the connection which one possible mode of cultivating and improving it necessarily has with a subject upon which I have, in common with many other Members of this House, and with a large proportion of the community at large, felt very strongly; I mean the African slave trade; the enormous increase of which, if the whole island of Trinidad should be to be brought into cultivation by imported negroes, must be such as to appall any man who looks at it, and such as must shock this House when it considers its own recorded opinions upon that subject. But though this was the first point of view in which I considered Trinidad, I should do great injustice to the cause which I have undertaken, if I were not to aver, that, in examining into the subject with this view, I have found reason to be convinced full as strongly that the cultivation of Trinidad, in the manner to which I have referred, is not more directly forbidden by the fear of that danger and that shame which would attend the enormous extension of the slave trade, or rather the creation of a new slave trade for this express purpose, than it is by every consideration of the security of the colonies, and of the true policy of this country, under the present circumstances of the world. It will appear from what I have

have said, that if any Gentleman came hither with the expectation of hearing a long discussion on the subject of the slave trade considered by itself, he will find himself, perhaps, not disagreeably mistaken. I have no desire, and it is not at all necessary for my object, to go into any such discussion. All that I wish to prove upon that subject I find already established by much more satisfactory authority than any reasoning of mine could afford, the votes of the House of Commons. I shall assume upon this subject nothing but what the House of Commons has affirmed and recorded. If any Gentleman supposed that it was my intention to depreciate the value, or obstruct the improvement of Trinidad, he is equally mistaken; I wish to improve it more effectually, and to greater advantage than could be done by the old system; I wish only to prevent your throwing away the opportunity of an improvement essential not only to the immediate value of this one acquisition, but to the safety of all your old possessions in the same part of the world. Lastly, Sir, if any one could imagine that my object was to create embarrassment to the present Administration by the proposition which I am about to submit to you, I know not how I can better refute such an imagination than by declaring, which I confidently and conscientiously do, that had the same opportunity, the same necessity I should rather call it, for discussing the modes of cultivation applicable to a new island in the West Indies arisen under another Administration, under the administration of those who possessed all my confidence, and, exclusively, all my attachment; of those who had the glory of acquiring Trinidad, instead of those who have had the prudence to retain it: I should equally have thought it a duty, unless the subject had been previously taken up by the Government, or by abler hands than mine, not to let the first session of Parliament, after Trinidad had become the property of the British Crown, pass away without calling the House to the consideration of some such proposition as I have now the honour to submit to you. I trust this will be deemed a satisfactory answer upon this point. If not, I have no professions to make. I have nothing more to add, but that I do feel myself to be discharging my duty, and that for the discharge of a duty, I presume, no apology is required. I may perhaps hear it, alledged that there is no necessity, or no justification for the interference of the House of Commons in the present stage of this business. As to the necessity of some such measure as that which I have to propose, the best way of proving it, perhaps,

haps, will be, to state shortly the course of the events and observations which have induced me to bring this measure forward. Not long after the signing of the preliminaries of peace, a paper was circulated, not only in the city of London, but, as I happened to be informed, throughout the Leeward Islands, purporting to be a copy of a plan in the possession of Government, for the allotment and sale of the unclaimed lands in Trinidad, with such a description of the fertility and convenience of the settlement as was calculated to excite the cupidity of monied men, and to lead to the expenditure of a great sum of British capital on that speculation. I do not say that this plan was circulated by Government, or with their knowledge; but from whatever quarter it came, it certainly agreed entirely with the papers which Government have since produced to the House of Commons, or rather these papers are but an imperfect, though, as far as they go, a faithful abstract of the plan so circulated. About the same time a sort of notice was given in this House by the right hon. Gentleman below me (the Chancellor of the Exchequer) of an intention to raise a sum of money (no matter for what purpose—the purpose specified is now otherwise and unobjectionably provided for), by the sale of uncleared lands, the property of the Crown, in the West Indies. Putting these two circumstances together, I could not but be struck with their coincidence, and I took the earliest opportunity that the meeting of Parliament after the Christmas recess afforded to ascertain, by a question which I took the liberty to put in this House to the Chancellor of the Exchequer, whether or no there did exist such an intention respecting the island of Trinidad, and whether Parliament was to be apprised of the plan, and to have an opportunity of considering it before it was carried into execution? I received no assurance that such an intention did not exist; but I was distinctly told that if such a plan was in agitation, it would *not* be thought necessary previously to submit it to Parliament. It seemed to me that there remained but one course for me to pursue—to call the attention of this House to the subject; which I have accordingly done; and it seems to me, that unless the House of Commons means to abandon its own pledges and duties altogether, it will not refuse to entertain the proposition. As to the right to do so, that surely is not easy to be disputed. Parliament has been called upon by the Executive Government to consider of the whole of the treaty by which, in compensation for many valuable restitutions, Trinidad is ceded to
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this country. Parliament has been taught to acknowledge its value, to congratulate upon its acquisition. It appears to follow; by a conveyance scarcely necessary to be argued, that Parliament has the right to weigh the value which it acknowledges, and to deliberate how best to establish and improve the importance of that acquisition upon which it has offered its congratulations to the Throne; above all, that it has a right to implore of the Throne that this acquisition shall not be employed in a manner directly to contravene and render nugatory resolutions which this House has formerly passed, and wishes which it has expressed to the Throne, and which the Throne has graciously received. And if the necessity or the right exist at all, this is the stage of the business in which alone our interference can be effectual. Wait till the sale and allotment of lands in Trinidad is actually made, and the thing is past your power; the mischief is done—and you can only regret, fruitlessly, that you did not interfere sooner. This brings me to state precisely the object of my present motion, upon which I am particularly desirous of being distinctly and early understood. My object is delay only: I want to prevent the immediate, and, as I contend, the improvident disposal of the lands of Trinidad, in a manner that must completely frustrate the views of the House of Commons, until Parliament shall have had an opportunity of examining and discussing the subject. I want to keep the subject within the power of Parliament. I do not propose to you to decide any thing now, one way or the other: I only entreat of you not to suffer it to be made impossible for you to come to the decision which may be right hereafter. I do not touch any thing that exists; I have nothing to do with the slave trade, as far as it is now carried on for the supply of our already subsisting establishments in the West Indies; I have no thought of invading or endangering the vested interests of the West India proprietors, just the contrary. I am persuaded I shall shew that what I have to propose is calculated to strengthen and secure them. I entreat Gentlemen, therefore, to put out of their minds the abstract question of the slave trade, and all the discussions and feelings which belong to it; that they will consider this, as it is a new question arising out of a new state of things in the colonial world, and as one which it would become us equally to consider, whether the old slave trade were to exist or to be abolished, or to be partially restrained? Whatever might be the fate of that question, the question of creating a new slave trade for the

cultivation of new land in a new colony, is fit matter for separate discussion; and the question of, whether this be, the only, or the best mode of turning the island of Trinidad to good account, is one which it becomes us seriously to investigate, and to investigate *now*. When grants or sales have taken place, it will be too late. There will then be vested interests to set up, in bar of any decision upon the subject of this new slave trade; or those individuals who vest their property in Trinidad, in the hopes of the slave trade being confirmed to them, will have to complain that the contract of Government is broken. I wish Government to keep its faith; I wish the House of Commons to preserve its character; and this can only be done by pausing to examine, before Trinidad is hastily put out of their hands. —The object of the motion thus defined, there are naturally two distinct branches into which the considerations belonging to it divide themselves. First, how far is the House pledged not to adopt any measure that may tend to create a new slave trade, and how far is the cultivation of Trinidad, in the manner proposed, likely to interfere with those pledges? Secondly, what is the best account to which Trinidad can be turned, in every view of colonial and national policy? To prove what were the recorded opinions and pledges of the House, Mr. Canning desired that the resolution of the House of Commons, of the second of April 1792, "That the slave trade ought to be gradually abolished," should be read, and also the address of that House, of the sixth of April 1797, praying, "That his Majesty do direct such measures to be taken as should (among other things) gradually diminish the necessity, and ultimately lead to the termination of the slave trade;" together with his Majesty's gracious answer to that address, "That he would give directions accordingly."

They were read.

Before he proceeded to comment on votes of the House of Commons, it would perhaps be expedient, as there were many Members of the House who might not have assisted at the passing of them, shortly to notice their history:—The first of them, the resolution of 1792, was moved by a right honourable Friend of his (Mr. Dundas) who was certainly never supposed to be indifferent to the interest of the colonies, or to the utmost practicable extent of colonial cultivation. Yet such was the spirit in which this resolution was conceived, so far was the framer of it from having any view to the

the laying a new basis for the trade in slaves, by bringing new land into cultivation, that it was expressly stated by him as part of his plan, to appoint a commission to ascertain the losses which actual West-India proprietors might sustain from being prevented from bringing uncleared land, already their private property, into cultivation; so strictly was it intended to guard against any increase of the slave trade by an increase of cultivation. The address of 1797 was as little the fruit of enthusiasm and wild speculation: it was moved by an honourable Friend of his, now near him, (Mr. Charles Ellis) himself a West-India proprietor, and acting in this instance, as he was sure his honourable Friend would readily acknowledge as the representative and organ of the whole body of West-India proprietors in Parliament. The object of this address was, to "give to Parliament and the country the assurance that the West-Indians themselves laid claim to the continuance of the slave trade only till such time as they should be able to continue their cultivation on the then existing scale without it; not to increase the slave trade beyond its actual bounds, still less to uphold the principles or defraud the justice of it; but, on the contrary, to give a pledge of their desire gradually to diminish, and ultimately to abolish it, whenever that could be done consistently with those vested interests which they conceived to be guaranteed to them by the faith of Parliament and of the country. Such was the object of that address; and the benevolence and ingenuousness of the character of him whom they selected to bring it forward, were undoubtedly the best securities that could be offered to the House for the sincerity of those who promoted and those who concurred in it. "I appeal then, to my honourable Friend," said Mr. Canning, "whether or not, on the principle of the address which he then moved, he does not feel himself bound, and not himself only, but all those whose sentiments he spoke, and all whose concurrence he obtained on that occasion, to vote in support of a measure the object of which is not only strictly conformable to the spirit, but falls much within the letter of his address, which goes not to diminish the old slave trade, but to prevent a fresh one from being instituted, more enormous in its extent, and more aggravated in its evils? I appeal to those moderate men who supported that address of my honourable Friend, and the resolution of 1792, which I before referred to, who hailed that proposition (the resolution of 1792) as the first moderate practical measure which had been brought forward

for the sanction of Parliament, as equally remote from enthusiasm on the one hand, and from a cold-blooded, hard-hearted approbation of a trade, "to the horrors of which, as they emphatically said, "no words could add;" on the other hand. I appeal to them whether they can withhold their assent; I desire them to tell to me on what principle they can withhold it from a proposition, which is moderate even in comparison with their moderation, which does not injure a hair of the head of the existing slave trade, leaves it to be abolished as gradually as they please, but only prevents a new and rival slave trade from arising, to cross and blast their benevolent intentions. I appeal particularly to those among them who, when the period at which the slave trade was to be made to cease altogether was under consideration, voted either for the year 1796, which was carried, or the year 1800, the longest period to which any man then ventured to propose prolonging its existence; with what face they can stand up and defend a plan for cultivating a new island with new importations; a plan which must make the beginning of the nineteenth century not the period of the extinction of the slave trade, as they fondly voted it, but the æra of its revival, of its new birth, the date from which its warmest and most anxious admirers may cease to fear for its mortality or decay? I have said, that the motion which I have to propose goes on different grounds from any other that has heretofore been submitted to the deliberation of Parliament. It certainly sets out with great difference of circumstances in this respect—that if there be consistency in man, those persons who have been the most violent opponents of every former measure for the restriction of the slave trade, are bound to support this; the moderate men, and the West Indians. To the West Indians, indeed, I have still other arguments to address, those of their interest, which are manifestly in my favour, but for the present I am contented to appeal to their consistency. There remains then but two classes of persons from which I could apprehend any difference of opinion: the first a small, I hope, and select class, those who admire the slave trade for itself, who deem of it, as Cicero did of virtue, that it requires only to be looked at to be beloved.—

"Quæ si videretur incredibilem amorem excitaret sui."

With men holding that opinion I can have no argument. It requires a degree of fellow-feeling to be able even to differ in discussion to any purpose. One must settle at what point

point the difference begins; but such persons must have their minds altogether so differently constituted, their sentiments, affections, and passions, must be so unlike any thing that I can conceive, that I avow my incapacity to understand them, and my despair of making them understand me. To their opposition, therefore, I must make up my mind; but I trust to theirs only.

The other class to which I have alluded is one whose opposition I should be concerned to have to encounter; that of those with whom from the beginning I have cordially agreed in opinion respecting the necessity of abolishing the slave trade. I trust it will not be felt by such persons, that the proposition which I offer, because a modified, is an unsatisfactory one. I know that in minds of a sanguine cast such a feeling is, sometimes apt to prevail; and that partially to redress a grievance is sometimes contended to give sanction and establishment to all that part which you leave as you found it; and that this feeling is sometimes even carried so far as to rejoice in any encrease of the grievance, from the notion that it must ensure and accelerate the total remedy. But this doctrine is surely to be received with some qualification. First, indeed, it may possibly be true, where those who are to bear the ill, and those who are to administer the remedy, are the same persons. Then I can understand an enthusiast, saying of those who are labouring under oppression from which they might free themselves, but will not, "I am glad that they are made to feel still more; harder, grind them harder still, and let us see if they will at length be roused to resistance." But is this the sort of case which we are now to consider? Is this the road by which alone we look to arrive at a remedy? God forbid! There is yet another consideration; that of degree. If the augmentation of evil would accelerate the remedy in such a degree, as that the proportion of evil incurred in the whole would be less than if you had acquiesced in partial redress, at the risk of levying what was unredressed to last the longer, there might be some ground for rejecting partial measures: but is not this at best a hazardous experiment?—and may not the augmentation of the evil be so great, in the first instance, as that no man would be justified in consenting to it on so precarious a hope of ultimately hastening the remedy? What is the degree of encrease to the slave trade which will be occasioned by bringing Trinidad into cultivation, according to the plan in the papers on your table? Mr. Canning here entered

tered into a statement, from the papers before the House, of the quantity of land remaining to be granted in Trinidad, in order to form some estimate of the number of negroes that would be required to bring it into cultivation. There remained to be granted 2720 allotments of land of 320 acres each, amounting in all to 876,400 acres, of which near one half, or 420,000 acres, were stated to be fit for the cultivation of sugar. He particularized this, because the sugar cultivation was that which required so much the greatest proportion of negro labour, that it in fact might be taken as regulating the importation. From the same authority it appeared, that the estates already granted (by the Spanish Government, for no grant had been made since the island came into the possession of his Majesty) were in number 400. The quantity of each estate was not specified in the papers on the table, but from authority on which he relied the more, as he had found it correct in every particular, where those papers afforded the means of comparison, he was enabled to state that the whole amount of the land in cultivation was somewhere about 34,000 acres, or not quite one twenty fifth of what remained to be granted. On the island in this state of cultivation were employed, according to his information, confirmed in this respect by the papers on the table, 10,000 negroes. The simplest way then of ascertaining the number required to cultivate the remainder would be to multiply the number already in the island by twenty-five. The result was 250,000. This calculation, however, (large as it might appear to gentlemen) was less than would be found to be the result of a comparison of Trinidad with the island of Jamaica. In Jamaica, in the year 1791, there were about one million of acres in cultivation, of which about 350,000 in sugar; (the remainder in the minor staples, coffee, cotton, &c. and in provision-grounds, &c. for the supply of the sugar estates): Jamaica at that time contained upwards of 250,000, perhaps nearer 300,000 negroes. The proportion of sugar cultivation being taken in each instance as the criterion of the requisite negro population, it would hardly be thought an exaggerated statement, if when Jamaica for 350,000 acres of sugar employed, say only 250,000 negroes, he considered only the same number as required for 420,000 sugar acres in Trinidad. In fact, he might assume a much larger number; and for the data on which he proceeded with respect to Jamaica, he desired to observe that he relied for the most part on the statements of Mr. Bryan Edwards, a gentleman, of whose

whose memory he meant to speak with great respect, and of whose support to the present motion, had he been still living, he should have felt himself very confident, so much impressed was that gentleman with the conviction that the system of negro colonies had been pushed already to an extent beyond which it could not go without imminent danger. He took Mr. Edwards's statements, though certainly below the truth in respect to the negro population, in preference to those of the report of the Privy Council, which would have justified him in a much larger calculation; both because Mr. Edwards's were lower, and he was therefore the less liable to a suspicion of exaggeration in choosing them, and because, being before the public, there was the better opportunity for every gentleman who wished, it to follow him in his deductions, and to correct him if he was wrong. Two hundred and fifty thousand then was the least amount of negroes required for cultivating the projected allotments of Trinidad. But was this all? Nothing like it. The question was not as to cultivating only, but as to clearing and bringing into cultivation, into *sudden* cultivation, if the whole were to be disposed of, according to the plan in contemplation, to the best bidder at one time. It had required a century and a half to bring Jamaica to its present state of cultivation. But was it to be supposed that at the present day, with such a command of capital, with the spirit of enterprise so much alive, Trinidad would be brought into cultivation so gradually?—But in this gradual progression, what was the amount of the importations from Africa which had been required to cultivate Jamaica? Of this for a certain portion of the time, for eighty-seven years, from the beginning of the last century, Mr. Edwards gave a statement, which he (Mr. E.) averred to be correct. In the year 1673, the negroes in Jamaica were 9,400 in number, within a trifle the same number that the papers on the table assign to Trinidad. In the year 1791 they amounted to 250,000, the number required for Trinidad. From the year 1700 to 1787, the numbers imported from Africa amounted to 610,000. In Jamaica, therefore, there had been required a recruit of 610,000 (without reckoning any thing for the years preceding 1700, or subsequent to 1791) in addition to the natural increase upon the island, to bring up a population of 9400 gradually to 250,000. Add to this computation the immensely increased mortality from pushing the cultivation of Trinidad with the rapidity with which it would be pushed by purchasers anxious to turn

turn

turn their capital as quickly as possible; add the waste of lives in clearing new lands (the most unwholesome and destructive part of the agriculture of the West Indies) and from employing newly imported and unseasoned negroes; (another infallible cause of aggravated mortality,) and if with these additions he were to assume one million of negroes as the lowest amount that would be to be imported from Africa before Trinidad was as effectually cleared and cultivated as Jamaica, he was persuaded that he could not be accused of exaggerating the calculation. One million of human beings to be swept from the face of the earth! And for what purpose?—to gratify what interest?—to comply with what necessity? There was no pretence of necessity; and the interests which had in all former instances been associated with the continuance and extension of the slave trade, in this instance were entirely the other way; he meant the interests of the established West-India planters. He had before said, that if he failed in his appeal to the consistency of the West Indians, who brought forward the address of 1797, he could successfully appeal to their interests. But he would not suppose that he had failed: he believed he might say he knew them to be ready to redeem their pledge, to stand the test of that day's vote. He would therefore direct his argument respecting their interests not to them, but to those gentlemen unconnected with the West Indies themselves, who had yet always made West Indian interests the plea and pretence for their votes in favour of the slave trade. This day afforded a test of *their* sincerity also. Was it indeed true that they had always hitherto been compelled to give a reluctant consent to the continuance of the slave trade, only because they felt themselves bound in justice to take care that the vested interests of the colonists should receive no injury by a hasty abolition? Did they endure an evil they abhorred, only because its continuance was indispensably necessary for the protection of an interest which they regarded? What then would be their plea now? Now that the interests of the established West Indian was to be prejudiced by the very same act that created an enormous extension of the evil? Now that the only effect of encreasing the slave trade by the cultivation of Trinidad would be to raise up rival establishments to meet the old colonists in the market? But, perhaps, such a rivalry was rendered peculiarly desirable by some change which had taken place in the state of the markets at home and abroad, by some dearth of West India produce,

which

which must be remedied, by some sudden inflammation of West Indian prices, which must be reduced, by the necessity of raising a revenue from sugar beyond what it at present afforded! These would indeed be poor justifications for the abandonment of principles so broadly stated, and for the forfeiture of pledges so solemnly recorded.

But what was the fact? Precisely the reverse in every particular. The quantity of West-Indian produce in the home market far beyond the demand; the markets of Europe shut against us; the prices, in consequence, so low as to be almost ruinous to the planter; and the duties so far from being likely to flow into the exchequer in greater amount, that they were now obliged to be bonded. He did not mean to say that all this might not change and right itself in time; that the markets of Europe might not re-open, the glut find vent, and the prices rise; but he applied his argument to the now state of things, to the existing interests of the present race of West Indians, of those whose immediate interests had always been found powerful enough with the House to defeat all measures for the diminution of the slave trade: and he must ask, when those same interests were found in opposition to the increase of that evil, by what arguments they were to be prevented from having the same effect? Would you increase the slave-trade, would you prejudice the West-Indian interest, in order to feed a market already glutted, to lower prices already ruinous, and to swell a revenue which you are already obliged to bond? In truth, said Mr. Canning, there is now no pretence of interest, none of necessity, in favour of an increased cultivation of West Indian produce at the price of an increased slave trade. If we cannot, will we do an act not only of voluntary wickedness but of individual injustice? It may be asked of those who have, at different times, rejected the plea of West-Indian interest when urged in favour of the slave trade, how it happens that they now become the advocate of those interests? For this plain reason, that our hostility was always directed against the slave trade, not against the interests connected, or supposed to be connected, with it. And very happy I am, for one, that an opportunity has occurred of putting our sincerity, in this respect, to the test. For myself I can truly say, that if the greatest possible degree of affection and esteem for individuals be a tie of respect and regard for the body to which those individuals belong, there is no body of men to whom I am less likely to feel any thing like personal hostility.

than the body of West-India proprietors, as there is none which contains individuals whom I love and value more highly. But when their supposed (or, as I should say, mistaken) interests came in competition with a great moral and political good, I did not give them the preference. True. But when I find them on the same side, shall it not be an additional incitement to me to endeavour to work that good, which now involves, not opposes, the interests of that body of men? But let us now apply the same test to those moderate men who have hitherto supported the West-Indian interest and the slave trade together. As long as they went together all was well. The slave trade was to be tolerated, because its ally, the West-Indian interest, was to be supported. But the alliance is now dissolved: the West-Indian interest points one way, the slave trade another. Which will you follow? No disguise; no equivocation now. It is not slave trade *and*, but slave trade *or* the old West-Indian interest that you must support;—slave trade in all its naked charms, without the cloak of a pretended West Indian interest to hide them. If, in this choice, you take that road which leads to the enormous increase of the evil that you pretended to deplore, and abandon the interests for whose sake alone you pretended, while you deplored, to endure it—what shall be said? What can be believed, but that your affected tenderness for the colonists was all mere hypocrisy, and that at all times, in all periods of the discussion, while regard for colonial interests were on your lips, the secret devotions of your heart were paid to the slave trade? Or will it be avowed, that at the time when these professions were made, we were, indeed, sincere in intending to act up to them, but that we did not then foresee the temptation to which we should be exposed; that we were prepared for common exertions of forbearance; we could have suffered a corner of an old island to lie waste, without thinking too much of the sacrifice to consistency; but that the present temptation is beyond our strength; the fine black mould and watered savannahs of Trinidad hold out incitements which flesh and blood cannot resist, and almost justify a breach of our bond, of which flesh and blood, God knows to what amount, must pay the penalty? Sir, I consider the acquisition of Trinidad in a different light. It seems to me as if Providence had determined to put to the trial our boasts of speculative benevolence and intended humanity, by putting into our power a colony where, if we pursue our old course, it

it must be purely for its own sake, without the old inducements or the usual apologies. This day is a day of tests: I trust we shall all abide the trial.

He now came to consider the second division of the subject. In a wider view, and considered as in relation to the general security and stability of our colonial system, and to the national policy of the country, how far it would be prudent to convert Trinidad at once into a sugar colony, to be cultivated by the same means with the others, subject to the same dangers, and partaking of the same weakness and insecurity? Was it possible to look at the present state of the colonial world without feeling considerable awe and apprehension? The struggle now subsisting in St. Domingo, whichever way it might terminate, could not but be productive of great evil and danger to our colonies: in the one event a great moral danger, if the negroes should not be thoroughly subdued; in the other case, of complete success to the French arms, a great military danger. In either of these events, what was the use to which it would be most desirable to have turned our new acquisition? Would the moral danger be best guarded against by having established a new negro colony, by immense importations from Africa? Would the military safety of Trinidad be best ascertained by a population from which, in the time of attack, you would have as much to dread as from the enemy; a population which, while you defended it with one hand, you must keep down with the other? He would not dwell upon these topics, because he was aware that they were too delicate to be agitated much at large in public discussion. But enough surely appeared to any reasoning mind, on the first glance at the present situation and prospects of the West Indies, to prove beyond doubt, that strength, not sugar, that to fence and support, not to extend, with proportionate extension of weakness, our possessions in that quarter of the globe, was the obvious dictate of policy, was equally necessary for the preservation of the colonies, whether to themselves or to the mother country. In Trinidad, therefore, above all things, we ought to look for strength and solidity; we ought to make it, in the first instance, a strong military post, a naval station, a place of recruit and refreshment for our fleets and armies. It ought to be used not as a new venture upon a speculation already hazardous and overloaded, but to protect and ensure those which we have already at stake. Wealth, to be sure, was strength to a certain degree, inasmuch as it furnished the

means of exertion ; but to protect the existing sources of the wealth which we now enjoy was the first object, to widen the channel in which it was to flow might be a proper and desirable object hereafter. Strength once established, wealth would naturally follow : but if, with a blind and mistaken cupidity, we hurried on to increase the produce of our colonies, without previously adding to their security, the result might very probably be to lose even that of which we are already in possession.

If, in looking to the state of the colonies a few years ago, and foreseeing the dangers to which they are now exposed, one had been to form a wish for that which should be most essential to their preservation, he knew not what more he could have desired than that which now the chance of war had thrown into their hands ; an island, such as Trinidad, fertile in its soil, with opportunity of naval station, and so situated in respect to the other colonies, as to afford, under most circumstances, the means of quick succour and assistance ; and, above all, not so far gone in the old slave-trade system, but that a new mode of colonization might be tried there with fair probability of success. Had he formed such a wish, and had any person less confident in the wisdom of Parliament than he was, remarked to him at the time, " You shall have what you desire ; an island precisely such as you describe shall fall into your hands ; but, mark my words, no sooner will you be in possession of it, than all your fine schemes of wholesome colonization will be abandoned ; you will turn to your commercial dictionary, and there finding, under the head West-India island, the word sugar, and under sugar the word slave, you will look no farther ; sugar cultivation and slave trade will comprize the whole of your boasted policy, and Trinidad will be cleared and cultivated by labour from Africa, like all your other settlements, and brought, as quickly as possible, to the same state of wealth and of weakness that belongs to them." Had any man ventured to predict that such would be the only use to which an acquisition like Trinidad would be converted, he should have resented the insinuation as utterly unfounded. He should have abjured for Parliament, and for the Government of the country, so poor and vulgar a notion of policy as that of, under all the changes of moral and political circumstances, pursuing exactly the same system of colonial establishment, without reference to what might be required for new security under increased danger. " Government," he should have

have said, "will not be blind to the new circumstances of the colonies and of the world. They will see that internal strength is that which is wanting to their colonial system. They will endeavour to procure it by laying the basis, in their new colony, of a natural population, which is alone the great cure for all the evils that are suffered, and all that are apprehended in that quarter of the world." This was what he should have ventured to undertake for on the part of any government of this country; and this was what he now called upon the House of Commons to do their part towards performing, by interposing to prevent an immediate alienation of the lands of Trinidad.

If he were to be asked by what means he thought a natural population could be procured, he would answer, first, by not introducing an artificial one; by not pouring the population of Africa into the forests and morasses of Trinidad, to perish yearly, and yearly to be supplied by fresh importations. This system once adopted, it was hopeless to look for any other. Keep clear of this, and it was possible that the foundation of another system might be laid. The second means were also negative. Do not make large grants or sales to great capitalists. Look for your settlers among classes of men who will be induced to become residents in the island. Such might be to be found among the meritorious soldiers of regiments on West-India service, among foreign corps, among free blacks and creoles in the other islands; to all of whom encouragement should be held out by grants of land, such as would enable them to subsist themselves and their families in a state of moderate independence. If it were objected that European labour was altogether incompetent to the climate; he answered, for the cultivation of the great staple commodities of West-Indian produce, certainly; but not for raising vegetables; not for breeding cattle; modes of agriculture which might make Trinidad the source of health and comfort to the soldiers and sailors of Great Britain employed in the defence of the West Indies, and, in some measure, to the colonies themselves.

But neither were these all the materials for settling the island. There were, if he was not much misinformed, other materials peculiar to Trinidad. There was a race of labourers in the habit of resorting annually to that island from the neighbouring continent, to work for hire in the most arduous and fatiguing branches of colonial husbandry. They were called *Peons*; stout, active, inured to the climate, and capable

capable (as was supposed) of being induced, by proper encouragement, to come over in still more considerable numbers; and, no doubt, if proper means of subsistence were afforded them, to settle themselves and their families in Trinidad. From this race might be created a hardy, native militia, fitted, to a degree that European constitutions, perhaps, hardly ever attain, to endure the fatigue and difficulties of West Indian warfare. The right honourable Gentlemen below him (the Ministers) had better means than he could be supposed to have, of knowing how far the description which he had been giving of these persons was correct; but he had no doubt of it, and if true, there was afforded a basis for creole colonization, which he should be extremely sorry not to have tried to the fullest extent to which it could go. The advantages to be derived from it, under certain possible circumstances in the political state of South America were incalculable; but such as in this place it would not be proper to dwell upon in detail.

There was, besides, another race peculiar (he believed) at this moment to Trinidad, native Indians, who were to be found to the number (according to the papers upon the table) of about one thousand; a people whom, if it were from no better motive than curiosity, he should be sorry not to have carefully preserved, *relique & danaüm*, the remnant of nations among whom the sword, and the spit, and the rack, and the mine, had made such horrible ravages. These whom, by some unaccountable neglect, the Spaniards had neglected to exterminate, might, and would, no doubt, keep an increasing native population. One thousand, to be sure, was not a great number, but it was not contemptible, as a source of colonial inhabitancy, it was as large as the number of whites on some of the smaller islands, it was one seventh part of the whole population of Trinidad (exclusive of negro slaves) when the island came into our possession, and it bore a proportion of almost one-seventieth part of the whole European population of all our islands put together. Add to this that the numbers of the sexes were pretty equal (the females rather the more numerous) and there was little reason to apprehend that this race might not be kept up and extended to a very considerable degree. "Now, Sir," said Mr. Canning, "I do not say here is your colony established: but I do say, here are means and chances for the establishment of a guiltless, bloodless colony, which it would be highly perverse and criminal to throw away untried, from a blind preference

preference to the old method of annual importation from Africa, with such accumulation of misery, and such risque of mischief as must attend them. Let me not be answered that all experience is against me; that there is no instance of a West India island having been cultivated except by negro slaves; I will not too hastily believe that there is any region in the earth on which Providence has laid that heavy interdiction, that it shall not suffice to produce its own inhabitation, that it cannot be fertilized except by the blood of victims from another quarter of the globe. I deny the fact, that experience is against me; has the experiment of a native population ever yet been tried, and failed? Never. Try it now—try it before you make its impracticability a plea for establishing a system of guilt and rapine, which, even if every other resource should fail, is detestable; and if it has not that excuse, if it is not tried in the last resort, is as wanton, as it is shocking to humanity. That in this way you will not get as large a produce of sugar to swell the custom-house entries of the next few years, I grant you. But are you to raise a sum of money, or to found a colony? Would you lay a foundation for the returns of a twelvemonth, or for the greatness of an age? I hope the latter; nor yet, however, will Trinidad yield nothing in the mean time. Many of the means which I have pointed out are applicable to raising colonial produce in its common acceptation. But Trinidad has yet other facilities which make it sufficiently valuable, even if not a hoghead of sugar should be produced, nor the hand of a negro employed upon it. Look at its situation in respect to the Spanish main. Is it possible that the Court of Spain in making such a cession to us, should not have considered well the policy of its present restrictions on colonial commerce, and of the encouragement to clandestine trade which arises out of them? Is it improbable that the result of such a consideration, aided by the suggestions of the Government of this country, should be to produce a freer intercourse and a more liberal system of commercial regulations; and in such case what advantages might we not expect from Trinidad becoming the emporium of British and South American commerce? There are yet other advantages which do not depend on foreign co-operation. It has been matter of constant dispute between the colonists and those who have in this country contended for limitations on the slave trade, whether or not such improvements might be made in the colonial agriculture, as would diminish the necessity

cessity for importations of labourers from Africa. The colonists have said, with some justice, that they would be willing and desirous that the experiments should be ascertained; but that they cannot afford to hazard a year's returns in trying them. Here then is the opportunity of trying them at the expence, not of individuals, but of the public. Who knows what skill and machinery might do to lessen negro labour? The first consequences to the other colonies would be gradual improvement, by the silent operation of example, without the shock of innovation, or the risque of loss; the further and more enlarged consequences would be, a gradual abolition of the slave trade, produced without any interference on the part of this country; a diminution of the great and dangerous disproportion of blacks and whites at present in the islands; a saving of British capital, and an economy of human life.

These are not slight advantages, nor would Trinidad be ill employed, if turned to this account only. But this I do not ask you now to decide. I ask you to pause, to allow yourselves time for deliberation. I ask you only not to decide that you will try nothing but slave trade. If in the end you must come to that, if you are determined to do so, should every thing else fail, Africa is always at hand: you can never be too late in your resort to the market for her miserable inhabitants. But you are not justified in resorting to it till you have tried, I do not say all the means I have suggested, but all that wiser and abler men, thinking deeply, and devoting themselves to the subject, can devise; and if tried heartily, depend upon it such means will not fail! Mr. Canning concluded with saying, that he had now only to add, by way of explanation of a single paragraph in the address which he was about to move, that he had been desirous of providing against the only practical objection to which he could conceive his motion to be liable, by excepting from the general prohibition of grants or sales of new lands in Trinidad, such grants as Government might wish to be able to make to those inhabitants of the colonies, restored by the late treaty to the French and Batavian Republics, who were desirous of remaining under British protection. To them he would leave it open for Government to make grants; but to them under condition of not cultivating those grants by negroes imported from Africa. He went on the presumption that they would be allowed, under the stipulations of the treaty, to bring their negroes with them from their present establishments

ments to Trinidad. He would only further observe, that the restriction which the address went to propose, was only to keep the subject open until Parliament should have had an opportunity of considering it fully, and to ensure the Government laying it fully before them. He then moved,

“That an humble address be presented to his Majesty, humbly to represent to his Majesty, that, in consideration of the great importance of preventing the dangers and mischiefs which must arise from the excessive increase of the importation of negroes from Africa, if such importation shall be furnished without restriction into the island of Trinidad; and for the purpose of avoiding any colour or pretext, by reason of new grants, to obstruct hereafter any regulations, which, to the wisdom of Parliament may, upon due investigation and deliberation, seem expedient.

“His Majesty’s faithful Commons humbly request his Majesty, that he will not authorize any grants or sales of new lands in the island of Trinidad, without express condition (under penalty of forfeiture and making void such grants or sales) that no negro to be henceforth imported from Africa, shall be employed upon the said lands, until opportunity shall have been afforded to Parliament to make such provision as the circumstances of the case may be found to require; for the protection, limitation, or regulation of the importation of negroes from Africa into the said island, that his Majesty will be graciously pleased to give directions that there shall be laid before this House, in the next session of Parliament, an account of any such conditional grants or sales as may have been made in the interval, and of the means which have been employed and provided the enforcing the observation and performance of the said condition; and that his Majesty will be graciously pleased further to direct, that there shall be laid before this House, as soon as the same can be prepared, such plan of regulations, as to his Majesty’s Government shall appear most advisable, for promoting the future cultivation or improvement of the island of Trinidad, in the manner the least likely to interfere with the wish expressed by this House for the gradual diminution and ultimate termination of the African slave trade, and the most conducive to the stability and security of the interests of the colonies, and of the West Indian commerce of this country.”

Mr. Sturges seconded the motion.

The *Chancellor of the Exchequer* said, that before he commented on the speech of the right honourable Gentleman in

particular parts, he could not forbear saying, that the motion now before the House was not strictly conformable to the expectation which had been formed from his notice; the motion, although divested of some parts he expected to find in it, was one which he could not at this time assent to. If he was bound to decide for or against the motion, he should negative it, on grounds perfectly satisfactory to his own mind, and which he trusted would be satisfactory to the House, after he had explained them: but as he was not bound to take that course, he should not take it, but should adopt another more congenial to his feelings. The right honourable Gentleman had observed there was a rumour prevalent, but which, he said, had never reached him, that there was an intention to make grants of land, or sales of land belonging to the Crown in the island of Trinidad, and he had expressed an apprehension that the capidity of monied men would lead them to take advantage of it; and he said, that the notice he had given at an early period was connected with this view of the subject. Upon that subject, he said, that the uncleared land in Trinidad was not within his contemplation when he alluded to the advantages which this country might derive from grants hereafter to be made. What he had said by way of notice upon that subject, if notice it could be called, for it was indeed only an allusion to some future advantages which might be derived to this country, after the arrangements of the definitive treaty were concluded, related chiefly to the island of St. Vincent; upon that topic he had only stated, generally, that some means might thence be found to alleviate the pressure arising from the present charges on this country, by applying the proceeds of the sale of lands in St. Vincent's, and other islands in which there was much uncleared lands, by certain grants hereafter to be made, under such regulations as, upon a view of the circumstances, might be deemed expedient, to the relief of the pressure of this country; but the Island of Trinidad was not then in his contemplation. He had long felt a thorough conviction, and it was strengthened by experience, that it was a wise policy to increase, as much as possible, the white population, and the creole population, and this had long been the subject of conversation between him and those with whom he was in habits of the utmost confidence; and those who possessed the best intelligence, and all the sources of knowledge by which their understandings were enlightened upon the subject, on the particulars of which he should not enter at present. With respect

respect to the motion of the right hon. Gentleman, he would say, he was sure he spoke the sentiments of several Gentlemen in the House, with whom he had the pleasure to be intimate; as well as his own, when he expressed a regret that it should be made at this time. It was to him, and he knew to others, matter of regret, that a proposition connected with that of the condition of the negroes in the West Indies, should at this time be agitated; of which, however, he did not complain, since he was assured, that the right honourable Gentleman only brought it forward from a sense he entertained of his duty. He knew there were some who thought that the subject, as far as it related to the island of Trinidad, might be taken as an insulated point, but that was not the way in which he viewed the subject; he thought it difficult to make a distinction between this particular part and that of the general policy of the trade carried on by means of negroes in the West Indies, and therefore did not see how this question could be fairly discussed without entering upon the general question at large; and here he should observe, in passing, it was matter of surprise to him, that a proposition of this sort should be brought forward, so recently after the island came into the hands of his Majesty, although the general question upon the trade, to which the proposition referred, had been allowed to sleep for five or six years. He was not now speaking with reference to those who composed his Majesty's Executive Government; they had indeed abundant occupation of their time throughout the whole of it, but more especially for that part of it in which concerns of the most complicated, as well as of the most weighty nature, were under their care; but he spoke with reference to others, who, if the right hon. Gentleman was right in his proposition, had suffered their humanity to sleep; during all which period importations of negroes into Martinique, St. Lucie, Demerara, Isequibo, and Berbice, took place unrestrained, but the effect of which unquestionably was, to add to the revenue and commerce of this country, and enrich the plantations; but the advantages, which to us must have been considered as only temporary, as was evinced from the negotiations at Lisle, are likely to be the permanent benefit only of those who have always been our rivals in time of peace, and, for the two last contests in which we had been engaged, our greatest enemies in time of war. But, however, he thought the reproach which some persons had thought attached to the House of Commons on account of the slave trade from the

coast of Africa, was entirely done away by the circumstances which had taken place during the period to which he alluded. The proposition of the right honourable Gentleman now before the House, brought with it no recommendation, either to those who thought that the African trade ought to be immediately or gradually abolished, for it was not essentially favourable to either under the present state of things in the West Indies. The House declared, that the slave trade should be abolished by gradual means, and if this proposition ranked under that general principle, he could not oppose it, that was a proceeding to which he was a party, and he adhered to the principle of that measure; it was one to which the faith of Parliament was pledged; but this measure had no tendency towards the accomplishment of that object. And here he could not help observing, that looking to the circumstances of the time that the vote of the House passed, looking to the concurrence of extraordinary circumstances that had taken place since, and had uniformly operated during the whole period from that time to this, he was bound to say, that, really and truly, Parliament had not forfeited any pledge it made to the world upon this subject. He meant the substance of the pledge of Parliament as it was really and bona fide made, was not forfeited; nor was the present motion calculated to support the principle of that pledge, which was neither more nor less than this, "that the slave trade should be gradually abolished." He did not consider the faith of Parliament to be pledged, as to the time when this should be done; it was true, indeed, that Parliament had stated a time when this would take place, but it was to take place by certain means, in which means the views of Parliament were interrupted. It would appear by the resolution, voting the gradual abolition, that it was to be accomplished by certain regulations of the trade itself, by introducing a new system into the West Indies; and then, upon the supposition that such system would be adopted, Parliament had voted that the slave trade from the coast would be abolished in the year 1797; but as the system by which this abolition was to be accomplished was not introduced, the effect was not produced, nor could it be expected to be produced, and therefore, in reality, Parliament had not forfeited its pledge to the public for the abolition of this trade at a period now past. He did not see that the motion now before the House had a tendency to further this object, for it did not follow that the slave trade would be abolished, or even lessened, by confining
a vote

a vote to the island of Trinidad, and therefore he did not see any reason for assenting to it, even upon the principle of the right honourable Gentleman himself, who introduced it. He was ready to admit that gentlemen had a right to advert to the principle on which the vote for the gradual abolition of the slave trade was founded, and to call on others to say why they did not adopt measures for carrying that principle into effect. He was ready to say that measures ought to be adopted for that purpose, but he contended that this measure was not calculated to produce that effect; for there was no truth more deeply impressed upon his mind than this, that an attempt to prevent negroes being imported from the coast of Africa into the island of Trinidad, would be only to insure the carrying on of the trade in other quarters, in other settlements, and would be the means of increasing those practices which it had been the policy of this country to avoid. What he meant was this; there would be a considerable increased demand for the produce of the West Indies, even more than had been the case for the last nine years. The productive powers of St. Domingo had long been in abeyance. The demand of the Continent would now be more than the present powers of supply of the West Indies could furnish; that most of necessity produce fresh cultivation. During the last eight or nine years, every thing in the way of trade, in this respect, was carried on by British capital, and British enterprise, almost exclusively, and the effect of this on our commerce, and also on our maritime strength, was highly favourable to us. British capital and British enterprise were so great, that they would extend to all the islands belonging to foreign governments, as well as to our own, as it had been. It was said by the right hon. Gentleman that the markets were glutted of sugars, &c. But it was to be considered that France and Holland had long been waiting in hopes of receiving supplies from their own islands. They would want more than they could have from that source. In that state of things what was the condition of our merchants? They had been looking with impatience for an opportunity of carrying their supplies to the Continent; there had not been a channel for our West India produce a great while by way of Hamburgh, but it did not follow that the demands for this produce would cease now—on the contrary, their demands would increase, and then our warehouses would find a vent, so that the glut which the right honourable Gentleman apprehended, would be done away. Why then, he would ask the House,

House, if it be true that in the present state of the world, an increased supply of all markets with West India produce be to be produced only by British capital and British enterprise, whether it would be wise to adopt this motion now, or whether it was likely to contribute to the gradual abolition of the slave trade, to enter into this premature check upon the cultivation of the island of Trinidad. With a view to the gradual abolition of the slave trade, the only view in which he could support it, this measure would actually do nothing. He said; he objected to the application of any principle whatever, for the gradual abolition of the African slave trade; that did not apply itself to the whole of the West India Islands: he objected to it on this ground, that it was imperfect in its nature; and could not do any good in the discussion. The right honourable Gentleman had expressed an earnest wish that means should be adopted for the increase of the population of whites and creoles in the West Indies. Did he apprehend it possible to accomplish this object by the proposition now before the House? Did he not apprehend there would be great difficulties in making arrangements for persons who had been fixed a great while at Trinidad, and others who might recently have arrived there? Besides, negroes might be brought to Trinidad from Barbadoes, St. Vincent, Montserrat, or other places, and it would be impossible to distinguish between them and those who may have been on the island for some time previous to their importation. But there was another objection to the proposition now before the House; the effect of it would be to call for negroes from the different West India islands to Trinidad; because, without their assistance, it would be impossible to carry on the necessary trade there; and it would create a chasm in those islands, which could not be supplied but by means of fresh importations from the coast of Africa; therefore the discouragement of importation to Trinidad alone, would not answer the purpose the right honourable Gentleman professed to have in view; for, unless he could discourage importation into all the islands, it was useless to prohibit it in only one. Suppose it was effectually prohibited at Trinidad, what security could there be, that the chasm which would be created by bringing negroes from other islands into Trinidad, and which could not be prohibited by the present motion, nor indeed by any other that could be entertained in that House, would not be supplied by fresh importations into such islands? And then he would ask, what would be the benefit of such a measure

measure, as this? It might be asked, whether, according to the view which he entertained on this subject, he should wish to promote an importation of negroes into the island of Trinidad? He hoped he had answered that question already, he could only say, that upon every principle he had ever entertained or expressed in that House, from every sentiment of his mind, and every consideration the most grave he could bestow upon it, from every thing that connected itself with the policy of this country, he was led to say, that neither into the island of Trinidad, or any other island or settlement belonging to his Majesty, ought there to be any unlimited importation of negroes. He might be asked what restrictions he had in view, to which he would answer, not such as were applicable to Trinidad alone, but that the true policy of this country extended to a consideration of all the islands. In a large and comprehensive view, it was the substance of his opinion upon that subject, into which, for various reasons, he would decline to enter minutely; for, indeed, he was much indisposed for public speaking at present. It was his wish to be understood (but he was unwilling to give any pledge) as entertaining a hope that the subject of the slave trade will be taken up in the course of the next session of Parliament, and considered deliberately upon the principles on which a large majority of that House have agreed, and he trusted, will again agree, to a gradual abolition of that traffic; but this he wished to be preceded by an inquiry instituted by that House, and adapted, as assuredly it would be (if ordered by that House) to its object, and which would be pursued, he had no doubt, in a manner consistent with the true interests of this country, for which the House had often expressed, and never failed to feel, the utmost anxiety. The right honourable Gentleman had stated, that the importation of negroes into Trinidad, for the purpose of keeping it in a state of cultivation, as he said, would require 250,000 negroes every year, and he took it from a reference to information which he had introduced before. Now, however, he had great satisfaction in stating to the House, according to the best information received by his Majesty's Government, that such an importation would by no means be the effect of countenancing the principle against which the right honourable Gentleman had spoken so much at large; the truth was, that the island of Trinidad was different from all the rest; it was stated to him in letters, which he had from the highest authority, such as he could with safety rely on, that

that with half the number of hands, the cultivated produce of the island was double to that of any other; and in the island of Trinidad, the labour of forty negroes would be more than equal to that of 100 in any other island, except Jamaica; that the quantity and quality of the produce of Trinidad was superior to that of any other. That, in the first instance, the canes yielded sugar of the best quality, and that it was not necessary to go through the same labour in the culture there as in any other island. That his information he received from persons who were well qualified to form a correct opinion upon the subject, and to justify his assertions; he read extracts from several letters received from persons of the highest character, corroborating that allegation; and observed; that he felt great satisfaction in contemplating this, because he thought he saw in it, the means of much increase to the commerce, the wealth and the prosperity of this country, capable of being produced without the waste of human beings, or the intolerable burden of human labour. He then proceeded to observe, that the description which he had received of the peculiar advantages of the island of Trinidad, had rendered the matter particularly interesting, so much so, that his Majesty's Government had determined, some time since, to send forth a commission for the purpose of making a minute survey, (not merely a geographical survey, for that was already made) but for the purpose of acquiring all the information which, in a political point of view, could render that subject interesting to this country. This task had devolved on men of great talents, of enlightened minds; men who were, from their habits, particularly conversant on the subject on which they were employed; and whose opinion, after they had enriched their minds with the information which they now looked for, would be extremely valuable. They were to make their report upon the subject, and by which report his Majesty's Government would necessarily and very fully be considerably guided. The House would be aware, that no grants had been made up to the period when the last accounts upon the subject were laid before the House. The House would be aware also, that positive orders were sent by Government that no new grants or sales of land in Trinidad should take place without further authority. He hoped that every public encouragement would be given to the population of the whites and creoles, and he could add, that it was the determination of his Majesty's Ministers to advise his Majesty not to make any grants of land, except for the

the purpose of providing the means to which he had alluded, until after the report shall have been made by those commissioners. He was unwilling to hold out any thing like a pledge to the House which might afterwards produce disappointment;—but he would submit to the House, whether it was possible that a commission should go from hence for the purpose of making all necessary inquiries into this subject; and yet that the House would come to a decision upon it without having the report of such commissioners? He apprehended that Parliament would not enter on the discussion of such a subject as this, before the result of that commission was before it. That result, if the House would be pleased to wait, should be laid before the House, with the reservation only of some possible observations being included in the report, that had no bearing on the subject of the cultivation of the island. Upon this he was to be understood as making no pledge on the behalf of the Executive Government, that the report should be laid before Parliament immediately on its being received by these gentlemen; for it was possible that it might be received some time before his Majesty should resort again to the wisdom of his Parliament. He could not be expected to pledge himself to lay before the House any plan upon this subject as arising out of the report of the commissioners, but he pledged himself, either to lay before the House his ideas upon the subject, or, what he should like much better, to concur with some other person in bringing the subject before the House. He owned he should like to see this subject in the ablest hands. He should like to concur in a proposition that might be made with a view to a regulation, not of the island of Trinidad, or of any other island, but applicable to all our islands in the West Indies. But, in the mean time, he wished the whole of the subject to be considered carefully, as most assuredly it would, by the committee to which he had alluded, by which the true interest of this country, on a large scale, embracing the whole of the West India trade, might be adequately considered. They would form an opinion upon that subject, after which he should like to see a committee of that House appointed to take into consideration the whole of the African slave trade, by which means he trusted more could be done in this important subject than had ever yet been done. Having said this, he must be allowed to say, he felt the inconvenience, he was afraid he foresaw the mischief which these partial dis-

cussions of this important subject, must produce. They created uncertainty on matters, in which it was extremely important that the minds of the people should be at rest. He did not think the minds of the people were likely to be quieted by any thing that could be the result of these agitations. No step was taken towards the attainment of the great object which all had in view, by motions like these, because the subject could never be determined advantageously by a piece-meal discussion of it—for which reason he wished to have it considered altogether, and in that hope, and that none of the evils, which the right honourable Gentleman apprehended, would arise from a short delay of the consideration of this subject, he thought it right to conclude with moving the previous question. But there was one point which he thought right to state, and which he had hitherto admitted, which was, that whatever grants might take place in the island of Trinidad, none would have the effect of discouraging the population of whites or creoles, nor should any grants be made that would enable the grantees to set up any claims on their part that would exclude Parliament from doing any thing which to its wisdom and discretion should seem meet. Under these circumstances, he hoped the right honourable Gentleman would be convinced there were good reasons stated why the House should not agree to his motion. He hoped the House was also convinced there was a disposition on the part of his Majesty's Government to act up to their professions upon this subject. He was ready to declare, that no consideration whatever either had, or, he believed, would alter the opinion he had of the principle of the resolution of 1792; that he certainly approved, nor was he now doing any thing inconsistent with that resolution, by the course he was pursuing. His object was the gradual abolition of the slave trade; but that was not to be accomplished by this motion; nor by any motion which took up the subject by piece-meal. He wished the subject to be taken up on a large scale, that a general view of it should take place; that the information of the commissioners should be had by Government; that information laid before Parliament, and then the whole general question considered in its most expanded state, to which purpose this motion was not adapted. It was at least a premature motion, since it preceded requisite information. Knowing there would be no danger from the delay of this subject until the next session; knowing that at present proper materials were not before the House to judge of it,
and

and being aware that Parliament would have an opportunity of delivering its opinion upon it early in the next session, he should now move the previous question.

As soon as the Chancellor of the Exchequer had sat down, Mr. Canning rose and said,—“ Sir, I may perhaps save the House some time and trouble by stating thus early the sense in which I understand the latter part of the right honourable Gentleman’s speech, and the conduct which I am ready to pursue in consequence of it. If, Sir, the right honourable Gentleman had contented himself with making only the latter half of his speech, I should cheerfully have consented to ask leave of the House to withdraw my motion; because, in the pledges and assurances which the right honourable Gentleman had offered of the intentions of himself and his colleagues, he has not only given me all that my motion asks, but more. I understand from him, not only that no grants or sales of land shall be made in Trinidad (except such as the address, which I had the honour to propose to you, itself excepted) until Parliament shall have had an opportunity of considering the subject, but that there is a fixed and serious determination on the part of the Executive Government to revise and discuss fully, with a view to a final settlement, the whole of that great moral and political question, which has for twelve years been discussed in this House to so little purpose. Sir, I have always been of opinion that nothing but a serious and sincere endeavour on the part of the Executive Government to bring this question to a settlement could be productive of the good effects which, I hope, we are all earnest in devising. With the hopes that are now held out to me of this attention being speedily given to the subject, and having the solemn word of the right honourable Gentleman that the object of my motion shall be answered, I am not desirous of pressing it to a division. For the same reason I will not make any of those comments on the first part of the right honourable Gentleman’s speech, which I think it deserves: but while I forbear to do so, the right hon. Gentleman must excuse me for saying, that it is in consequence of some insinuations and misrepresentations in that part of his speech that I feel it absolutely necessary to persist in desiring that the address may be recorded on the journals.

General Gascoyne rose to make a few observations, but the House was so impatient for the question, that it was not possible to collect his meaning.

Mr. *Wilberforce* (when the cry of *Question! Question!* had subsided) observed, that he was satisfied with the personal declaration of the right hon. Gentleman below him (the Chancellor of the Exchequer), believing that he was sincere, and anxious to act up to his professions. Nevertheless, he could not be very sanguine when he considered what had formerly taken place in the House, and even the conduct of the right honourable Gentleman himself. The fairest prospects had been held out, and they had ended in nothing. The evil existed now in a greater degree than ever, and daily gained ground. He thought that some measure ought to be instantly taken to prevent the increased importation of negroes into the islands. The effect of threatening to abridge the traffic necessarily quickened it. He wished it to be known that the British importation of slaves had been much greater during the last three years than at any former period. The insinuation thrown out by the right honourable Gentleman, that he had seen with unconcern the immense trade in slaves to the conquered islands, was void of all foundation. He had bewailed and lamented the circumstance with the utmost bitterness, and those who knew him best would testify to the anguish of his feelings. He was of opinion that our Government ought immediately to enter into a negociation with foreign powers for the abolition of the slave trade. It had formerly been said, "What good would be produced by us abandoning it, if it were carried on by others?" and this argument was now stronger than ever. The only hope of this barbarous, inhuman, unchristian—

General *Gascoyne* spoke to order. The honourable Gentleman, he said, was going into the question of the abolition of the slave trade, which was not before the House.

Mr. *Wilberforce* maintained that what he had been saying was strictly in point: The object of this motion was to prevent, as far as possible, the ravages, desolation, and barbarism of a third part of the habitable globe, and by the co-operation of foreign powers—

General *Gascoyne* again called to order, on the ground that any agreement with foreign powers was foreign to the question.

Mr. *Wilberforce* affirmed, that he had never spoken of any such interference. He wished much to know, whether there was any form of the House to protect a Member from incessant interruption? He appealed to the House, and to those
most

most experienced in its proceedings, whether he had been, in any degree, irregular? He then resumed the subject, and after a few observations on the necessity of the trade being instantly restricted, he concluded by saying, that he should consider it to be his duty to bring the subject before the House during the present Session.

Mr. *Fuller* said, the vanity of public speaking, when it is quite unnecessary, appears to me, Sir, as the most absurd of any. The question of the abolition of the slave trade is not now before the House, and when it comes on, I hope it will be decided neither by avarice on the one hand, nor fanaticism on the other.

The report of the alien bill was ordered to be received on Monday.

Mr. *Alexander* brought up the report of the Scotch militia bill, and the volunteer corps bill, which were ordered to be taken into further consideration the next day.

The miners' bill was read a second time, and committed for Monday.

Sir *R. Peel* moved the order for the third reading of the cotton manufacturers apprentices' bill; which being read, he moved that the third reading be postponed till the next day, which was ordered accordingly.

On the motion of Mr. *W. Smith*, the report of the debtors' bill was taken into consideration, which was confirmed by the House, and the bill ordered to be read a third time on Monday.

On the motion of Mr. *Leigh*, the Irish controverted election bill was ordered to be read a second time that day se'n-night.

The third reading of the franking bill was postponed till the next day.

Mr. *Wilberforce* gave notice of his intention to bring forward on Thursday next a proposition relative to a restriction of the importation of slaves during the next year, &c.

Mr. *Leigh* suggested, that the second reading of the Irish controverted election bill, which was of considerable importance to that part of the united kingdom, and in regard to which some difference of opinion was expected to arise, was just fixed for that day. He therefore wished the honourable Gentleman would fix upon some other day.

A few words in explanation ensued between those honourable Gentlemen, in the course of which the *Speaker* took occasion to observe, that the Irish election bill, which was certainly

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certainly of importance to that part of the united kingdom,
was a long time before the House. The result was, that
both these discussions, that of the bill in question, and Mr.
Wilberforce's proposition, was fixed for Thursday next.

General Gascoyne gave notice of his intention on Friday
to bring forward a proposition relative to the slave trade, but
which he observed should neither respect the question of the
restriction or abolition.

The *Speaker* enquired on what Friday the honourable
General meant to bring forward his proposition?

General Gascoyne answered on Friday se'nnight, and took
occasion to observe, that one tendency of what he should
propose would be, to take off certain restrictions which now
existed. He was proceeding to state the grounds on which
he was so induced to come forward, when he was interrupt-
ed by

The *Speaker*, who acquainted him, that it was irregular to
go into argumentative matters at the time of giving notice
of a motion.

On the motion of Mr. *H. Addington*, the remaining orders
of the day were then disposed of.

Adjourned till the next day.

HOUSE OF LORDS.

FRIDAY, MAY 28.

The royal assent was given, by commission, to sixteen pub-
lic and private bills. Among the former were the lottery
bill, the militia subalterns allowance bill, and the militia
pay bill. The commissioners were, the Lord Chancellor,
Lord Ellenborough, and Lord Walsingham.

The medicine duty bill, and the Irish loan debenture bill,
with several private bills, were brought up from the Com-
mons.

The bills on the table were read in their stages.

Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, MAY 28.

The *Speaker*, accompanied by several Members, having
pursuant to summons, attended in the House of Lords, on his
return

return informed the House that the royal assent had been given, by commission, to several public and private acts.

An account was presented of the net amount of the permanent revenue for the year ending the 5th of April, 1804, which was ordered to be printed.

The franking bill was read a third time, and passed.

Ordered that the House should on Monday next resolve into a committee on what are commonly called the Dutch property acts.

Ordered, on the motion of Mr. *Vansittart*, that the Gentlemen appointed to bring in a bill to exempt certain legacies from payment of duty, be instructed to make provision for granting farther time for the stamping of certain deeds, and for amending the act of the 36th of his present Majesty. The bill was read a first, and ordered to be read a second time on Monday.

Mr. *Vansittart* brought in a bill for authorising soldiers, seamen, mariners, certain officers, and persons belonging to the militia and fencible corps, to practise trades in corporations, &c. without prejudice, however, to the privileges of the universities of Cambridge and Oxford. Read a first, and ordered to be read a second time on Monday.

The House having resolved into a committee on the sugar-coopers' petition, it was resolved, on the motion of Mr. *Lefevre*, that compensation ought to be granted to the sugar-coopers, to the owners of lighters, and other vessels who might be liable to sustain any loss by the London port improvement bill. The House resumed, and the report was ordered to be received on Monday.

The report of the Committee on the workhouse debt bill was postponed till Monday.

Mr. *Vansittart* gave notice, that he would on Monday move the House to resolve into a Committee to consider of the allowances now made on prompt payment of stamp duties.

Mr. *Vansittart* said that he would on Monday, in the committee of ways and means, move that the Commissioners for managing the revenue of hackney-coaches for London and Westminster should be vested with a power to increase the number of those coaches.

The House having resolved into a committee on the report of the committee on expiring laws, it was voted that the act of the 39th of his present Majesty, for the encouragement of the British fisheries, and the act of the 26th, for prohibiting the importation

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importation of wrought silks and velvets, should be farther continued for a limited time.

Mr. *Vanittart* observed that it was necessary to continue the latter bill until some commercial arrangement between this country and the powers with which we had lately been at war should be concluded. The report was ordered to be received on Monday.

The report of the Irish militia bill was ordered to be considered on Wednesday, that of the Scotch militia, and that of yeomanry corps service, on Monday.

The land tax redemption bill was read a second time, and committed for Wednesday.

The committal of the public accounts regulation bill was postponed to Wednesday.

The sinking funds consolidation bill was read a second time, and committed for Wednesday.

Mr. *Corry* moved that a certain Irish account, relative to balances in the hands of the Collectors of Irish revenue, should be withdrawn, in order to present a more perfect account in its place. Agreed to.

The amended account was presented, but this too appearing to be incorrect, a conversation arose upon it, and without ordering it, as usual, to be laid on the table, the House adjourned to Monday.

HOUSE OF LORDS.

MONDAY, MAY 31.

Mr. Moore, in the appeal cause, *Morthland and Johnstone, v. Cadell, Esq.* being heard for the appellant, further proceedings were adjourned to Thursday.

On the motion for the second reading of the Heckingwell inclosure bill,

The Earl of *Carnarvon* moved, that it be read a second time that day three months, on the ground that no application had been made to him for his consent as lord of the manor, and for various informalities in the bill. A conversation arose upon this between his Lordship, the Lord Chancellor, Lord Bolton, Lord Auckland, and other Peers, after which the House divided on the question, that this bill be now read stand part of the question. Contents 6; not contents 32. The bill is therefore lost.

Lord *Holland* moved the order of the day, that the measure sale bill be read a second time. The order having been read, his

his Lordship said, he would not detain the House by going into any detail upon the subject; but begged that, in not doing so, he might not be understood to mean to spare the bill, or show it any mercy; he should merely content himself with repeating what he had said the other day, that the bill was in itself altogether unnecessary, pregnant with inconvenience, and almost impracticable, and that the sending up to that House bills upon light and trivial subjects, was not only pernicious in its consequences, but mischievous in its immediate effect. Not meaning to enter upon the subject further, he would move "that this bill be read a second time this day three months." Agreed to.

Lord Pelham presented some papers relative to the civil list, the four and a half per cents, &c. and moved that they do lie upon the table.

Lord Holland moved, that they should be printed.

Lord Pelham said he did not consider it as a matter of course that such papers should be printed.

Lord Holland said, as Parliament had been called upon to pay the debts of the civil list, the Members of either House were fairly entitled to have every degree of information on the subject, and that unless the papers were printed, they could not conveniently make themselves masters of their contents.

Lord Pelham said, he had not objected to the motion, but had only observed, that such a motion was not to be considered as a motion of course.

THE MILITIA BILL.

The House having resolved itself into a Committee on this bill,

Lord Hobart, the Earl of Berkeley, the Earl of Carnarvon, and Lord Rolle proposed a great variety of amendments, several of which were discussed, and the Earl of Romney, Lord Dundas, Lord Grantley, the Marquis of Buckingham, and Lord Pelham, joined in debate.

There was a division on the clause p. 33, which enacts and directs, that the justices assembled at the next general or quarter sessions for any county, riding, or place, in which any private militiaman chosen for any place or parish in the said county, in consequence of any private being appointed a serjeant, corporal, or drummer, upon any vacancy occasioned by death or discharge of any non-commissioned officer, or drummer, shall have the power to order a sum of money, not exceeding the average price paid for a substitute or vo-

lunteer in such, or the adjoining parish or place, to be paid out of the county-rates to the churchwardens or overseers of the poor of the parish, who shall find or provide such other man, as aforesaid.

The Earl of *Carnarvon* warmly contended that this imposed a new and unexpected tax on the farmer, and as the militia service was no longer a service for the county which chose it in particular, but to all intents and purposes a public service, the money ought to be paid out of the public treasury, he therefore moved to leave out the words "county rates," and insert, "receiver of the land tax for the county."

On the division the numbers were, contents 6, not contents 16.

The Earl of *Berkeley* strongly objected to the shortness of the proposed period. If it were intended for training or drilling the men, it was much too short—if for a muster, too long. He went into some detailed observations to prove that twenty-eight days were the fewest that could, with the least propriety, be allowed for the purpose, and accordingly moved, "That twenty-eight days should be substituted for the twenty-one originally proposed."

The Marquis of Buckingham and Lord Hobart argued very ably in favour of the original provision, principally on the ground, that, in the present circumstances of the country, after the militia forces had been so long inured to regular service, the number of days proposed would be sufficient for the purpose; and the plea of economy was also urged by their Lordships.

The Earls of Suffolk and Carnarvon delivered themselves in favour of what had fallen from the Earl of Berkeley; and the second-named Peer, taking occasion to observe, that if the noble Lords who supported the bill, set their faces so decidedly against alteration or amendment, he was induced to ask, to what end did they sit, or discuss the subject?

Lord *Hobart*, in reply, recalled to the recollection of the committee, that the far greater number of alterations and amendments which had been made in the bill came from his side of the committee, and were moved principally by himself, the imputation therefore could not be well founded.

Many of the other amendments gave rise to much discussion.

Lord *Hobart* moved the insertion of a new clause, drawn to meet the Earl of Carnarvon's objection, stated the other evening, to the augmentation of the militia eventually to

69,000

MAY 31.]

CARNATIC.

60,000 men. The clause stated that the 20,000 over and above the establishment, (40,000) should, till exhausted, furnish every militiaman wanted to fill up the vacancies in the 40,000, whenever vacancies should arise, without further expense to any parish or place. The clause was received.

At length, after going through the whole bill clause by clause, the bill was reported, and the report ordered to be taken into consideration on Thursday.

The debtor's relief bill, and four others, were brought up by Mr. C. Wynne, Mr. Alexander, and others, and read a first time. Adjourned.

HOUSE OF COMMONS.

MONDAY, MAY, 31.

A division took place on the third reading of the Culham road bill, when there appeared, ayes 31, noes 48.

Mr. C. Wynne's debtors' bill was read a third time and passed.

Admiral Berkeley put off his motion for a remuneration to Dr. Jenner till Wednesday.

CARNATIC.

Mr. Nicholls said, that if an honourable Gentleman who had given notice of a motion about the late revolution in the Carnatic did not bring it forward, he should consider it his duty to call the attention of the House to the subject before the end of the present session.

The *Chancellor of the Exchequer* observed, that he certainly expected that that honourable Gentleman would, in pursuance of his motion, have moved for the production of certain papers on Wednesday last. He could only say, that there was no disposition on the part of Government to withhold any information which could throw light upon these transactions. The documents were still incomplete, as the ship bearing the dispatches of the Governor General had not arrived, and how far any discussion under the present circumstances would be proper, he must leave to others to determine. But even now he should be glad to meet any charge that might be brought forward, and to do justice to characters who had been groundlessly calumniated. When all prejudices were removed, it would be found that in these very transactions they were entitled to the gratitude of their country.

MILITIA OF SCOTLAND.

The Scotch militia bill was reported. On the motion that it be read a third time on Wednesday,

Mr. *Elliot* rose and opposed it with great warmth. He lamented that he had not known of its being in the House, as he certainly should have objected to it in every stage. He disapproved highly of thus increasing the numbers of the militia. In the present circumstances of this country and of Europe, a large local force was comparatively of little use, and it would be much better to reserve our population for the recruiting service. The militia were a garrison that could not make a folly for their protection. He particularly objected to the power given to the Crown of calling out 4000 men in addition to the 8000, on any emergency. This was cutting up the recruiting service by the roots, at the time it was most necessary to procure recruits. Scotland furnished the bravest, hardiest, and best behaved soldiers in the army; but, in future, all those inclined to a military life would be idle at home in some militia corps.

The *Secretary at War* said the arguments of the honourable Gentleman went against the militia altogether. If our constitution and our finances would permit, he allowed that a large standing army might, for many purposes, be more serviceable; but, considering the many objects we had in view, besides military strength, a militia was preferable, and had always been preferred. He regretted that the system was so late in being extended to Scotland. In former wars fencible corps had been raised in that part of the island, who were not so useful, and who impeded the recruiting of the army as much. He was willing to allow a high degree of military ardour to Scotland, without, however, any disparagement to the two sister kingdoms; but, if it was so military, 12,000 men (the greatest number of militia that could at any time be raised) would not prevent the regiments of the line being recruited from that country. It was unfair to reason from the difficulties which had been experienced during the present war, as at the beginning of it we had scarcely any army at all, and as the best means, he had no difficulty in saying, had not been taken to form one.

Mr. *Windham* concurred with every thing which had been advanced by his honourable friend, (Mr. *Elliot*) but thought he had not gone far enough. Not only any clause of the bill, but its whole principle ought to be opposed; as it went to lay out the force of the country in a defensive instead of an offensive

five army. He did not wish to see the militia totally extinguished, yet he thought, that instead of increasing its numbers, it ought to be reduced below the old establishment, both in Scotland and England, and never to be augmented except in cases of emergency. To one consideration he would particularly call the attention of the House: every compulsory force employed in raising men must necessarily increase the difficulty of voluntary recruiting, as it takes away the fair competition, and thus raises the bounty, as appeared in the late war, where it rose to fifteen guineas, instead of one guinea, the usual price formerly given. The reason of this was evident: it was absolutely necessary to allow the employing substitutes. People in certain circumstances gave any price for substitutes rather than serve themselves; the consequence was, that the premium for substitutes was known to be as high as sixty or seventy guineas, and of course the price of recruits for the regular army was raised in proportion. From these and many other considerations, he was a decided foe to the militia system; he considered a regular army as the most proper and best defence of the country.

The bill was then ordered to be read a third time on Wednesday.

MILITIA OF IRELAND.

Mr. *Foster* said he rose to mention a subject of the greatest importance to Ireland. In a newspaper he held in his hand, there was an advertisement pretending to be a copy of general orders from the adjutant-general's office in Dublin, intimating, that, upon the disembodiment of the militia, all the men, whether the term of their service was expired or not, were at liberty to go where they thought fit. But it was well known that these men were the property of the counties, and that the King himself had no right to dispose of them. The consequence would be, that when they had enlisted into other corps, the magistrates would interfere, and reclaim them as deserters. He was in hopes that the Irish Government had not been guilty of any thing illegal, and that this would turn out to be nothing but an artifice to gain recruits. But if the right honourable Gentlemen were not prepared to make that avowal, he should bring forward a motion on this subject on Wednesday.

Mr. *Wickham* confessed that the advertisement was genuine. The opinion of the law officers in Ireland had been taken, and on this opinion the general orders were issued.

Whether

350 WOODFALL'S PARLIAMENTARY REGISTER. [COMMONS.
Whether it was right or wrong, he would not at present pretend to say.

The *Secretary at War* hoped that the right honourable Gentleman would, at least, postpone his motion to give Government an opportunity of procuring information. He really believed that there had been some misconception on the subject. The adjutant-general undoubtedly had no right to issue such a notice. But proper measures had been taken to obviate the bad effects it might have produced.

Mr. *Foster* said he would cheerfully acquiesce in a short delay, but he considered it his indispensable duty to bring a matter of such moment fully before Parliament. He understood that a copy of the advertisement had been sent in general orders to every recruiting party in Ireland. After some conversation he named Wednesday se'nnight.

The militia adjutants' allowance bill was read a first time, and ordered to be read a second time on Wednesday.

On the motion for the commitment of the police bill,

Lord *W. Russell* said he had very great objections to it. But as he was not sanguine enough to hope that these objections would prevail, he proposed, as an expedient which would lessen their weight, that the magistrates, like the judges, should hold their offices—*Quamdiu se bene gesserint*.

The *Attorney General* observed, that the proper place to make this proposal was the committee. He should not now discuss it, but he saw very great inconveniencies which it would produce if adopted.

The House then went into a committee, and the salaries of the magistrates were fixed at 500l. a year, and the wages of the messengers at 16s. a week. The report on Wednesday.

CLERGY RESIDENCE BILL.

The order of the day being then read for the report of the clergy residence bill being taken into farther consideration,

Sir *W. Scott* moved that the bill be recommitted.

Mr. *Simeon* said, that however much he might feel himself unqualified to oppose the arguments of the learned Gentleman who introduced this bill, he thought it his duty to resist a measure which tended not only to destroy all former statutes, but also entirely to change the constitution of the Church, by lodging an enormous power in the hands of the Bishops. The right honourable Gentleman who brought forward this measure, had prefaced it with an account of the profligacy of the clergy, and other causes which led to the
formation

formation of the statute of Henry VIII. and had then concluded, that as this profligacy had ceased, the statute ought also to be abrogated. But he should recollect, that the statute had been approved by the most eminent characters, — Lord Coke, among others. After it had reformed the abuses it had been framed to check, it was always looked upon as an excellent preventative of the recurrence of abuses. The rigour of the statute had been complained of; but it was to be remarked, that this had been gradually abating, and the lapse of time had entirely thrown its influence into the scale of the offenders. It was in fact even at first a mitigation of the canon law, which under the severest penalties prohibited pluralities, and enjoined residence. Before therefore removing this statute on account of its rigour, it was to be considered whether the canon laws were not still in force, and ready on the removal of this substitute, to return with tenfold rigour. He owned, that the new bill provided a very good remedy against severity, but this was joined to a degree of power placed in the hands of the Bishops, which ought to be strenuously resisted. It gave an enormous accession of political power to the Bishops, and subjected the inferior clergy, if not to actual slavery, at least to a very improper degree of influence. It was also improper to stretch the idea of personal accommodation beyond the limits prescribed by the laws of the land. No instances had been adduced to prove that the penalties of the statute had been made to apply to cases for which they were not originally intended. One instance, indeed, had been adduced, where the clergyman was condemned to the penalties of the statute for not residing in a house not inhabitable. But he must beg leave to question the propriety of this decision, as such a case could not be justly construed into wilful absence, and consequently did not fall under the provisions of the statute. With regard to the clause in the bill, which allowed a greater degree of latitude to clergymen in the article of farming, he contended that if it were adopted, it would directly tend to secularize the clergy; it would completely alter their situation in society. By the existing statute they were allowed to cultivate a glebe, and likewise a farm, under certain restrictions; and this was as much as could be allowed consistently with the institutions of the Church, which were founded on the gospel. But the provision held forth in the bill as an enlargement of their privileges was in reality an abridgement of them. It took away from them the right they formerly possessed

fessed of cultivating their glebe, and allowed them in place of this right, a licence from a Bishop. The licence might, indeed, be more extended; if the Bishop chose it, than their right had been; but there was a great difference between an independent right, and a dependent licence. It was wrong to place so great a discretionary power in the hands of an individual. Bishops were men, and would still act as they had done in all former times; some would make a proper use of their power and others an improper. If the clergy were thus forced to depend on the favour of a Bishop, their political freedom was for ever lost. With regard to the clause which allowed a greater latitude of non-residence, he said; that this was far from being a proper remedy for the distresses of the inferior clergy. As soon as the finances of the State would allow it, he should be happy to see a large addition made to Queen Anne's bounty, in order to rescue a learned, worthy, and laborious class of men from poverty. This was the true remedy that ought to be applied; and not the encouraging pluralities by allowing greater latitude of non-residence. For if an increase of pluralities and a greater latitude of non-residence were allowed, what would become of religion? A sermon on Sunday was far from comprehending the whole duties of a clergyman: he was also still more bound to instruct the ignorant in the principles of religion; to comfort the unfortunate in the hour of affliction, to raise the desponding heart at the approach of death, and to promote the interests of morality and religion by the example of his life and conversation. The immediate effect of non-residence would be to divide the pittances of the clergy into still smaller portions, by halving them with curates; and infinitely to increase the number of poorer clergy, by the multiplied curacies that must inevitably attend on the multiplied pluralities. Mr. Simeon concluded with saying, that although he could not expect that his arguments should have such influence as to carry the House along with them, yet he was satisfied in having brought the subject into discussion, and called the attention of the public to a matter of such importance.

The *Chancellor of the Exchequer* said, that so large a proportion of the speech of the honourable Gentleman was so inapplicable to the motion for the Speaker's leaving the chair, that he should make but a few observations upon it. He wished to recall to the House the circumstances under which this measure originated: It was not because there

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was a great increase of non-residence, but because there was a disposition newly arisen in informers to enforce the statute of Henry the Eighth. Some gentlemen in that part of the country where this disposition was most prevalent, came to that House to ask protection for clergymen against what he must call an unwarrantable proceeding. Numerous discussions took place as to the means of doing this, and the House at length agreed to a measure which was certainly liable to great objection, namely, to suspend the existing law. They agreed to this however only until a system could be formed for the purpose of effectually regulating those proceedings which had become a ground of complaint and had been made an instrument of oppression. To effectuate this purpose, the wishes of the House turned, he believed universally, towards his right honourable Friend (Sir Wm Scott), a distinguished gentleman, whose motives were, no doubt, most pure, and what he did could only originate from a sense of public duty; for nothing else could induce him to bestow his talents and time upon a subject, for which, indeed, his experience eminently qualified him, but which was a task that was most laborious: he had, however, framed a bill for that purpose, which the honourable Gentleman (Mr. Simeon) indicated his intention of opposing, which he could not have supposed, for, unless his recollection erred, this very measure had been approved at a former period by that honourable Member himself. Why then the case stood thus—the measure was one that had been called for by the House, and the question was, whether the House would not now entertain it? Now he would ask, whether the speech of the honourable and learned Gentleman had changed the sentiment which had been so long and so generally entertained by the House, a speech certainly full of learning and ability, but which went chiefly to particular parts of the bill. He said, indeed, that he objected to the principle of the bill. No one had a higher opinion than he had of the veracity of his honourable and learned Friend, but he should not have known that he so objected, by some of the arguments he urged, especially those which he made use of to shew the policy of parts of the provision of the statute of Henry VIII. Indeed his honourable and his learned Friend said he was a friend to some parts of the bill, and yet he objected to the only mode by which he could give effect to the sentiments of favour which he entertained to the bill, in contradistinction from those to which he objected, because a committee was the only stage in which that could be done. He apprehended that, properly

speaking, nothing short of a radical objection to the whole of the principle of the measure could be an adequate inducement for voting against the motion for the Speaker leaving the chair—that of thinking the bill so bad as, upon its principles, to be incapable of any amendment that might do away the leading objects of it; this appeared to him to be the way of considering this measure. There were indeed points connected with this bill in the consideration of the great object of it, namely, that of granting relief from hardships, which were omitted, and they were points which not only humanity and civil policy required to be considered, but which the interest of religion itself demanded, and which could not fail, in due season, to obtain the attention of the House. He agreed with the honourable Gentlemen in every thing they said on the subject of common informers; but that was not the topic on which he wished to say any more. He was now coming to another: he knew it to be matter of regret to his right honourable and learned Friend who brought forward this measure, that he had not yet had an opportunity of bringing forward a measure for the improvement of the inferior orders of the clergy—that he had not an opportunity of blending that desirable object with this bill. As to any pecuniary grants that could be made to them, or any to which Parliament might be brought to consent on that subject, he believed there never was any thing applied by Parliament more worthily than that would be, or any more successfully laid out: indeed, he believed, this consideration connected itself with the good of society to an incalculable degree, and to an extent almost unlimited. He might look, he said, with an extreme partiality towards that class of persons to whom he had last referred, the inferior clergy: he certainly had great partiality towards the whole body of the clergy. He admitted there might be some instances of misconduct among them, and that might be said of every body of men in every society; but taking the clergy as a class of people, their conduct in general, and most particularly for the last nine or ten years, he said, was such as called for the esteem of this country. They should therefore have a competence for their support—affluence he did not mean, for affluence to them all, was not, in his opinion, desirable, but a decent competence, and that did appear to him to be necessary. It was fit that every clergyman should have a competency. This was a matter of great importance to the society in which we lived, and when this object was gained, we should then have gained a lasting security for our general happiness, but without which he was convinced

it would be impossible for our prosperity to be lasting. He felt this opinion so forcibly, that he would say, great as our wealth was at the present hour, great as our prosperity was as a nation, splendid as our military and naval glory had been, much as distinguished men had spread our fame, and many, very many of them would be entitled to our gratitude for ever, yet, unless we had a clergy possessed of competence among us, superior to pecuniary wants, and the inconveniences of indigence, the whole of our successes and triumphs would, in time, be trodden under foot, and it would be in vain for us to look for a long period of happiness; but he wished not to be misunderstood, he was not considering it matter of objection to this bill, because it did not contain any provision of this sort, or as a reason against going into the committee upon it; he approved of it as far as it went. He wished the provision with regard to the clergy extended further than this bill professed to go, or under the present circumstances would go. Future provisions might embrace considerations of increasing places of public worship, as well as increasing the salaries of some of the Ministers of that worship; but this was matter of so much importance that it could not be disposed of at the present time. Retaining, as he did, what he had said formerly on this topic, he wished this subject to be carried further than it could be by the present bill, but that could not be done at present. It was, however, impossible for him to forget what was due to the right honourable Gentleman who brought in this bill, and he trusted that the House would feel gratitude towards him for bringing it forward. At all events he hoped the House would let the bill go into the committee, and see what could be done with it, and if it did not at last accomplish the object they had in view, the House would dispose of it hereafter, as might seem expedient; but he was friendly to forwarding the bill, as much as its importance and the variety of its provisions would permit, instead of postponing the consideration of it to another session.

Mr. M. A. T. said, that notwithstanding the respect he had for the opinion of his right honourable friend, he could not consistently vote for their going into the committee. As to the latter part of the speech of his right honourable friend, he thought the best interests of the kingdom demanded that some further provision should be made for the support of the clergy. This, however, formed no part of the present bill, and he was not to be led away by such kind of arguments, to take from juries what had been in their hands for so long a

period, and to give the power which they exercised wholly to the bishops. He contended that the present measure was not an amendment of the statute of Henry the Eighth, but a complete repeal of it. He should not be deterred from stating his reasons why he would not give this power to the Bishops, but it was unnecessary. He well knew that many of them were pious and excellent men, but it was not merely to the present, but to future Bishops that this power was to be given, and to no set of them whatever would he consent to give the power which was intended to be conferred upon them by the present bill. It had arisen from a wrong construction of the word "wilful," in the statute of Henry the Eighth, that a number of prosecutions had taken place in various parts of the kingdom. Complaint was made to the House, who agreed to suspend, in this instance, the proceedings of *qui tam* informers. The grievance was then stated, as was actually the case, that Judges were obliged to say, that though a clergyman did the whole of the duty which his situation called upon him to perform, yet he was liable to the penalty for non-residence. He thought this ought to be redressed by an explanation of the word "wilful," in the statute alluded to, for there a remedy was wanted. Instead of this, however, they were about to give the power to Bishops to exempt the clergy from residence. Why were not twelve jurymen as good judges whether an action ought to be maintained against a clergyman or not? Another ground of complaint against the statute of Henry the Eighth was, that the penalty was not equal it being the same upon clergymen possessing livings of 3000l and 100l a year. To this, a remedy might be applied, but if the Bishop was to give a licence for non-residence, there was an end of the action. Take it therefore in any way, the present measure was a repeal of the statute of Henry the Eighth. If these objects were to be remedied, why not bring in a bill to amend that act?—why take it out of the hands of juries? He could not think that residence would be at all enforced by it. Bishops were liable to an influence which juries were not. He was told that it was not orthodox that the Government of the church should be placed in any other hands than those of the heads of the church; to this he would partly agree: he would admit that ordination, and various other ecclesiastical functions, ought to be placed under the controul of the Bishops; but did it follow that the residence of the clergy should also be under their controul? Who paid the clergy? the laity. If the Bishop was to have the controul over residence, it amounted to this, that the Bishop

shop was to decide whether a parish which paid 300*l*. a-year to a minister was not to have one or not. He liked better to give the jurisdiction over residence to juries than to Bishops, to twelve men than to one. There were some flagrant cases of non-residence, but he was of opinion that, in general, the cases of non-residence had been greatly exaggerated, and he believed that clergymen in general acted very fairly and very properly. The bill was stated to be a *bonus* to the clergy; he believed, on the contrary, that it was very unpopular amongst that body: they had rather that the statute of Henry VIII. should have been amended, than that they should be compelled to go to a Bishop for a licence for non-residence. He thought it was not a wise thing to take the power out of the hands of a jury and give it to a Bishop; and therefore he should vote against the Speaker leaving the chair. With respect to farms, what had been stated by his honourable Friend was, he thought, satisfactory; but no advantage resulting in this respect to the clergy could induce him to support the present measure.

The *Master of the Rolls* said he differed so completely from his honourable Friend, that whilst his honourable Friend stated as an objection to the bill, that it repealed the statute of Henry VIII. his only objection was, that it did not wholly repeal that statute, so far, at least, as related to the penalty, which was by this measure only made subject to certain regulations. It was to him a matter of considerable surprise, that a act should be made to enforce church discipline by such means, which must be insufficient, and frequently intolerably oppressive. An objection had been made to giving so much discretion to certain individuals. Was it, however, consistent with a proper system of inspection and controul, that the whole should be delivered over to accident or caprice, without any obligation to act, or any security as to the mode of acting, without any security that the law should be enforced, or if it was enforced, that it would be rendered worse than if it had not been executed at all? Such a law might remain inactive for centuries, and there was no body against whom a charge could be brought for neglect; an informer might enforce it at one time and neglect it at another, whilst no man had a right to ask him a question. No law could ever be so badly executed, as that which was in the hands of common informers. It was now the object to take from them that discretion which they had abused, and always would abuse, and to place it in the hands of those to whom it properly

petty belonged, the venerable prelates, in whose discretion an unlimited confidence might be placed. Those Gentlemen, however, who opposed the present measure, would not consent to place a regulated discretion in the hands of those whom they knew, and in whom they might repose confidence; but they wished to throw an arbitrary discretion in the hands of one whom they did not know, and from whom they would have no pledge whatever of his duly exercising that discretion. It was said that the statute had existed for two centuries and a half, as was actually the case. He was as little disposed as any man to place untried theory and speculation in competition with laws and customs, of which they had experienced the benefit; but it should be recollected, that although the statute of Henry the Eighth had existed so long, they had not had above ten years experience of its effects, and when enforced, it had only been so through the will and pleasure of a common informer. Let the statute remain, and it would only be executed by fits and starts; after a length of time had elapsed, when the clergy had nearly forgotten the act, and a number of offences against the statute had accumulated, then the informer set to work and reaped his harvest. The honourable Gentleman had adduced the number of these prosecutions as a proof of the efficacy of the statute; in his opinion they formed an equally good proof of its inefficacy, for it was during its existence that the offences against which these prosecutions had been directed had grown up. The honourable Gentleman had observed, upon the circumstances under which it was proposed to suspend the statute of Henry VIII. and it was well known to what a situation the clergy would have been reduced if that statute had been suffered to remain as it was. His honourable Friend said, why not confine this measure to an alteration of the statute, for the purpose of remedying the grievances complained? He would at all times be ready to support a proposition for expunging it from the statute book. He could have no objection to substituting something else instead of it; but it was not worth while, after witnessing the consequences which they had seen result from this statute, to try whether they could not go on without it, which he hoped they would, some day, be enabled to do. This kingdom was the only one amongst christian countries where any part of the ecclesiastical jurisdiction was transferred to temporal courts. It was absolutely impossible that those courts could exercise any discretion whatever; the reluctance of a clergyman considered in a court of common law,

was

was nothing but a mere corporal residence; on his cure the court had no option. Suppose two clergymen were brought before a court of common law, the one performed the whole of his duty in the most conscientious manner, but did not sleep in the parsonage-house; the other slept in the parsonage-house, but totally neglected his duty, and perhaps lived in open defiance of the principles of virtue and morality; the latter would go away unpunished, whilst the former would be loaded with penalties that might prove his absolute ruin. Such was the consequence of transferring such a jurisdiction to a court of common law, and was not this a sufficient reason for such a measure as that now before the House? What would Gentlemen think of a law to carry on the discipline of the navy and army by means of pecuniary penalties in a court of law? Did they find this to be the case with any body of men exercising a jurisdiction over each other, as in the case of the navy and army? In Scotland, where ecclesiastical jurisdiction was wholly confined to the clergy, was it found that there was any wilful neglect or improper connivance on the part of that body? But he would even risk the probability of that rather than leave it to the discretion of common informers. Even supposing, however, that suing for penalties in a court of common law, to enforce residence in the clergy, was an efficacious mode, yet it certainly was degrading. Residence was a mean, not an end. Clergymen might be compelled to reside by this means, but could not be compelled to do their duty, and those who were thus compelled to reside, would be rendered the more unfit to perform that duty; at any rate, they were in this way compelled to reside, without any reference whatever to the end in view. Was the judiciary or military, or any other profession, placed in the same manner in the hands of common informers? Only the clergy were placed in this degrading situation, their residence was enforced in the same manner as the duties on gin and tobacco were compelled to be paid. In other cases prosecutions might be stopped, but here in the case of the clergy, the common informer proceeded in his action, and obtained his penalty without its being in the power of any one to stop him. The object of this bill was only to try whether the discipline of the church could be carried on by means of the constitution of the church; if it failed, they had it at all times in their power to go back to the statute of Henry VIII. He should certainly support the further progress of the bill.

Mr.

Mr. Taylor explained.

The *Attorney General* said, he agreed with many of the arguments which had been urged by the Gentlemen on the other side of the House, (Mr. Simeon and Mr. Taylor), though he could not concur with them in the vote which they intended to give upon this question: on the other hand, he should agree in the conclusion drawn by his right honourable and learned Friend the Master of the Rolls, though he differed from him in many of the arguments which he had urged. Though there were many parts of this bill which he felt to be extremely objectionable, yet he wished the bill to go into a committee, in order that the clauses might be altered, because if the bill came out of the committee in the same form as it went into it, he certainly should oppose it. He was surprised to hear the honourable Gentlemen on the other side of the House express their intention of opposing this bill going into a committee, because the whole of their objections went to clauses which might be altered in a committee, and if the alterations which they thought necessary were not made in the committee, it would be competent to them then to oppose the whole of the bill. For instance, much of the discussion had turned upon the degree of power and discretion which was to be vested in the Bishops; this undoubtedly was a proper subject for the consideration of the committee, where the discretionary power of the Bishop might be enlarged or limited, as might be thought proper. With regard to his own opinion, he thought that the power which it was proposed to give to the Bishops by this bill was extremely proper, but in other cases, he confessed he thought it much too great. He differed very considerably from his right honourable and learned Friend who spoke last with regard to what he had said about enforcing the residence of the clergy, by means of a common informer. It had been said that many cases of great hardship had arisen in consequence of the power given to the common informer by the statute of Henry VIII. but he believed that there was a great deal more clamour made upon this subject than the occasion warranted. He was so far from agreeing with his right honourable and learned Friend about enforcing residence by means of common informers that if the cases could by any means be defined beforehand, he would not consent to give the power into the hands of the Bishop. It had been said, that the act of Henry VIII. even if enforced, would only compel the clergyman to reside upon his living—it would not compel him to a faithful

ful performance of the duties of his function ; but this was only saying that the act did not do that which it never professed to do. The act professed to enforce residence, and no more. But Gentlemen argued as if the act of Henry VIII. took away the superintending power of the Bishops over the residence and conduct of the clergy ; it did no such thing. It would not be denied that the Bishops had now by law the power of enforcing the residence of the clergy upon their livings, but it might be urged that the means by which the Bishop could enforce residence were troublesome and expensive, and therefore could not be had recourse to. It was also to be observed, that the means of compelling residence under the act of Henry VIII. was expensive to the common law-
former, because there were no costs, and it had been for some time usual for Judges, when actions were brought for several penalties, to direct the jury to find a verdict for one or two penalties only, which would not pay the person bringing the action the expence he was put to. There was another argument used by his right honourable and learned Friend, which did not appear to him to apply very strongly to the question before the House ; he had said that this principle was not applied to other professions, particularly to the army and navy ; but surely it was obvious, that the principle of enforcing attendance by means of penalties could not be applied to the army and navy ; the situation of a captain of a ship or in the army, of a soldier or a sailor, was in every respect so totally dissimilar from that of a clergyman, that he could not see how the argument could be applied to them. Upon all these grounds, though he disapproved of many parts of the bill, yet he should vote for its going into a committee, where alterations might be proposed.

Mr. *Windham* said, that the evils which the clergy suffered by means of actions to enforce their residence, were admitted on all hands ; it was recognized by the Legislature last year, for the Legislature last year suspended the operations of the law, which enforced that residence, and it did so until it could see what other means may be adopted, if any could be adopted, in lieu of such suspension, or whether such suspension should continue. The object of this bill was partly to regulate the statute of Henry VIII. by certain provisions, and in that respect, the honourable Gentleman had approved of it, as far as it tended to enforce part of that statute : Now he owned it was no recommendation to him of the present bill ; he should have liked it better if it had tended to repeal

that statute, and he could not help thinking, that such indeed was the opinion of his right honourable friend who brought in this measure, and that many of its provisions were made more with a view to the convenience of others whose approbation he wished to obtain, than from his own good sense; for his own part, he should have liked it better had it tended to take away the provisions of that statute, which certainly carried with them much of the character and features of the times in which they were made. Now he came to treat of the subject of ecclesiastical policy, and how much was to be left to discretion; and in discussing this subject it was essential, as in all questions of discretion it was essential, to consider to whom the discretion is given, and on whom it is to operate; for discretion was inseparable from all law; no law could be executed without it; even in the most rigorous laws of civil policy, their execution was entrusted to discretion, and without which their execution in some instances would be intolerable. Now with regard to the clergy, the discretion here was given to the bishops, and it was to operate on the inferior clergy; this in its nature was a discretion the least to be objected to, since it was in the nature of the discretion of a parent over his child. Interested in the welfare of the object, as well as in civil policy, judges were interested in the welfare of the public. He therefore thought the discretion properly directed, and his great object was, that the church should have the means of regulating its own concerns within itself, and it had been the practice of antient times, and was still the practice of other countries; he held it to be a policy wise in itself, as well as moderate in its principles, that the discipline of the church should be with the church, and to go to civil tribunals for the determination or preservation of such discipline, was a thing to be avoided if possible; nor was he an advocate for making the church that species of democratic body which a repeated reference to the courts of law to enforce rights, without reference to rank, had a tendency to create; nor was he to be accused of being a friend to arbitrary power in the church, for although discretion, as far as it went, might be said to be arbitrary, still it could not have any resemblance to the arbitrary power of the state; for in the church, if the power was improperly exercised at any time, there was another which was paramount to it, namely, the Legislature; whereas the absolute and arbitrary power of a state had no controul and that was the reason why absolute and arbitrary power in a state was so odious. He was therefore a friend to

the

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CLERGY RESIDENCE BILL.

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the measure, because it tended to keep the discipline of the church within the church, and lodged discretion where it was right to lodge discretion. As to the point of enforcing the residence of the clergy, the question was, how far it was wise to do things by halves? It was admitted, that the statute of Henry VIII. if enforced in full rigour, could only enforce the residence of the clergy; and, therefore, he would say the provisions of that statute were worth but little: it reminded him of the power of the groom, who could lead the horse to the water, but could not make him drink when he came there. So, here, by the statute of Henry VIII. we could compel the clergy to come to their parishes, but could not compel them to perform the functions of their order. So that, by this statute, we had the disgrace of a restriction without any certainty of benefit. This restriction was by this bill proposed to be submitted to the higher orders in the church itself, and therefore, as far as it went, he approved of it, but wishing, at the same time, it went much farther. This was the general outline which appeared to him to be descriptive of this bill, and these were the reasons he had for approving of the bill as far as it went, and he had indeed assigned reasons why he could have wished it had gone further, though he had no inclination to move any thing in that respect.

The House then called for the question. Strangers withdrew, preparatory to a division, but were soon re-admitted, as the House did not divide.

The *Speaker* left the Chair, and the bill went into a committee of the whole House, and a great number of clauses were agreed to, after a great deal of discussion, and the Chairman was directed to report progress, and ask leave to sit again, which was done accordingly, and the House adjourned to Wednesday, on the motion of the Chancellor of the Exchequer.

HOUSE OF LORDS.

WEDNESDAY, JUNE 2.

Counsel were heard, and witnesses examined upon the *Chandos Peerage*.

The committees on the field produce and public bridges bills were adjourned till Wednesday, and the House ordered to be summoned.

Five bills were brought up from the Commons, and presented by Mr. Alexander and others, and read a first time.

The Earl of *Suffolk* called the attention of the House to the county bridges bill, which he understood had been brought up from the Commons. He hoped it was not the intention of those Lords who supported this bill, to hurry it silently through the House, as was the practice with respect to too many bills of a similar description: there were some points in the bill in question, which merited a deliberate and serious consideration, and upon public principles, as he should have occasion to shew.

The Earl of *Westmorland*, in answer to what had fallen from the noble Lord, observed, that the bill in question had been some days upon the table; it had regularly gone through two of its stages, and, he understood, that day stood for committal. The harsh language of the noble Earl could not, therefore, be applicable. It was by no means the wish of its supporters to smuggle the bill through the House, but fairly to meet every well-founded objection against it.

After a few words between these noble peers and Lord *Walsingham*, the committee on the bill was, on the motion of the Earl of *Suffolk*, postponed till Wednesday, and the Lords ordered to be summoned on the occasion.

The Earl of *Suffolk* proceeded to observe, that he should take the opportunity of the summoned House on Wednesday, to call their Lordships' attention generally to two points of considerable public importance; namely, the poor's rates, and to certain points relative to the affairs of India: those, his Lordship seemed to say, he should very generally advert to, and the more especially as a noble Lord, then in his place, had given notice of a specific motion upon the same subject. After the noble Earl had made some further observations upon the subject last mentioned,

Lord *Rawdon* (Earl of *Moir*), said he ought to take shame to himself for not having stated to the House the reasons which had obliged him so long to forbear calling their Lordships' attention to the very important subject alluded to by the noble Earl; it was the non-arrival of the *Mornington*, in which ship, it was well known, certain papers would arrive of immediate relation to the government of India.

The Earl of *Suffolk* desired to make one observation upon what had fallen from the noble Lord. It was, that if they were to continue waiting, *de die in diem*, till all the information

tion from India, that might be wished for, should arrive, the most fatal consequences might result, and India itself be lost to this country. He said, that he understood that he was warranted in the observation he had just made, by what he had learnt from persons lately come from India, and perfectly conversant with our situation in the interior of the East. He should therefore, perhaps, be induced, if further delay ensued, to bring the subject forward in some shape or other, though he did not mean to do any thing prejudicial to the persons implicated in the question.

Lord Rawdon said, he did not consider the question as turning solely upon its relation to individuals, but in a much more comprehensive and extended point of view. He knew there were some papers at present in this country applicable to the question, but when it was recollected that the papers coming by the Mornington were papers drawn on purpose to give full information upon every part of the great and important question alluded to, he should think he acted rashly, prematurely, and improperly, if he attempted to treat of it without having all the necessary information upon the table.

Lord Grenville took the opportunity to observe that he agreed with both the noble Lords, as to the great importance of the subject alluded to, and on that ground he was decidedly of opinion, that no discussion should take place until the expected information and documents were before the House, which could alone enable their Lordships and the public to see the affair in its true light. He had, however, no hope that the necessary information could arrive from India in sufficient time to enable their Lordships to discuss the subject this session: this delay must be forcibly felt by the friends of those noble personages, and the approvers of their conduct, who were implicated in the subject; they most ardently wished for a full and thorough examination of the case, which they were confident would manifest to that House, and to the country, that their conduct, on the occasions in question, was founded on those principles of sound policy and justice which had hitherto marked the character of their administration in India.

RESIDENCE OF THE CLERGY.

Lord Grenville rose to call their Lordships' attention to a matter of very considerable importance; the matter to which he alluded was, he said, the residence of the clergy. He was aware that he could not regularly allude to what passed in another place on the subject, but their Lordships all knew,

knew, from the votes of the House of Commons, that there was a bill, relative to the residence of the clergy, now under consideration in the other House of Parliament, he therefore felt it incumbent on him to offer a few observations to their Lordships on that subject. What he had to state, he assured their Lordships, proceeded from no motives of hostility, or a wish to produce embarrassment. The established clergy of the country constituted its greatest support, and without them our fleets and armies would not long be able to protect us; they were the great supporters of the religion and morality of the State; the virtue of the people, which was essential to their happiness, and to their very existence, depended on the conduct of the members of the established church; and it was therefore of the utmost importance that these should so far enjoy the protection of the Government as to be free not only from vexatious prosecutions, but that they should be supported in that style of competence and independence to which, from their rank and situation in life, they were entitled. His Majesty's late Government, to which he had the honour to belong, considering the subject to comprehend the great and important interests of morality and religion, could not but regard it as of the first magnitude, as such it was well entitled to the utmost attention that could be given to it. Under that impression, they had long and assiduously employed all their faculties in endeavouring to adjust it on such a foundation as should be most likely to serve the interests of the religious establishment of the country, while it should operate to promote and encourage the morals of the people. In order to accomplish this upon a large and comprehensive plan, of which enforcing the residence of the clergy was by no means the whole, but only a single part of an extensive system, which involved in it a great variety of considerations, all relative to one great point, and provided to answer a most essential purpose. From the attention that he had himself paid to the subject, his Lordship said, he was enabled, in the first instance, to declare, that no plan could be formed without having a preliminary matter settled and established for its basis, viz. the creation of a fund appropriated to the augmentation of the incomes of the inferior clergy, and that in a considerable degree. His Lordship declared, that he understood from undoubted authority, that one half of the clergy of England did not derive more from their benefices than fifty pounds a year, and more than the half of that number did not receive more than from between twenty and thirty

thirty pounds a year. He was well aware of the financial situation of the country, but surely they were not in that state as to disable them from adequately remunerating those with whose conduct and services the morality and religion of the country were so essentially connected. It was, therefore, absolutely impossible to do any thing effectual upon the subject without first providing, at the public expence, an efficient and adequate fund, and that a large one, to furnish an augmentation to the incomes of the inferior clergy. His Majesty's late Government had matured a plan, and ascertained from whence such a fund should be taken. He wished, therefore, thus early, to suggest it to his Majesty's Ministers. With regard to the bill, now in progress in the other House, relative to the residence of the clergy, he feared, considering the advanced period of the session, that the bill, if it passed the Commons, could not be brought up to that House in time to allow of the degree of investigation and discussion which a bill of such magnitude and importance would necessarily call for; but, at any rate, it would be impossible and indecorous for their Lordships to proceed upon it in the absence of almost all the prelacy, who were actually already occupied at a distance in the discharge of a duty highly important and interesting to the public, the visitations having been commenced. If the reverend prelacy had forborne the discharge of that branch of their duty, they must have been guilty of a flagrant instance of non-residence, as, in that case, they would have been absent from their dioceses from October to July, which could not but be a matter highly improper. His Lordship said the bill now in progress in the other House, came from a most respectable person, who was as fit to introduce such a bill as any one character in the kingdom, if it were fit for any individual to have introduced it; but he could not help thinking that so very important a bill should be brought forward, as a measure of Government, by his Majesty's Ministers. He could not regularly allude to what had been said by the very respectable Gentleman, to whom he had alluded in another place, but he could, without violating the orders of the House, speak of a printed pamphlet, purporting to be the speech of the respectable Gentleman in question, and which bore his name. In that speech the subject was certainly treated in a masterly and judicious manner; but still he thought it ought to be proceeded upon on a more enlarged and extensive plan. If that bill, however, should be brought up, he would put it to the House, whether

whether it would be decent for their Lordships to enter upon the discussion of it, when they could not expect the attendance of more than four reverend prelates at the most? What he should hope, his Lordship said, would be, that the bill now depending should undergo a full discussion, and receive every amendment that could be suggested in the House of Commons, and then it might be printed in as perfect a shape as possible, and lay over till the next session. The doing so would be attended with advantageous consequences, as the people at large would thus have a full opportunity to give it every consideration due to a bill involving such very serious and important interests, and if it was, next session, thought advisable to proceed in it, their Lordships might then take it into their deliberate discussion. He could not, however, but again observe, that it appeared to him to be a measure of so much magnitude, that it ought to come, and would come with much more propriety and effect, if brought forward by the King's Servants as a measure of Government; they might either adopt the system and plan which they would find had been formed by his Majesty's late Ministers, or any other of their own. The plan to which he had alluded did not proceed in that part of it which related to the residence of the clergy, to the compelling every incumbent to reside constantly upon his benefice, because that would at once render it impossible for any clergyman to hold more than one living, and utterly subvert the whole church establishment; but the plan in question provided that there should, in every parish, be a constant parochial residence, either of the incumbent or his curate, which would answer every end of enforcing residence without inconvenience to the incumbent. Having very clearly, and much at large, discussed the whole of this important subject, his Lordship said he was no friend to the suspending bills, which had twice passed, to hang up all the penal actions now depending over the heads of the clergy, till Parliament should have found time to form and agree upon some legislative measure, calculated to put the whole business upon a more expedient and better footing. He nevertheless had intended at first to have ended his speech with introducing a bill once more to suspend those actions; till after the Parliament should, next session, have resolved upon some effectual and decisive bill upon the subject. But a little reflection convinced him that, according to the forms of Parliament, he could not originate a bill suspending the operation of a number of pecuniary statutes, without

without embarrassing the proceedings of the House. He, therefore, could only hope that such a bill would be sent up from the House of Commons, in order that the clergy might not, if the bill now pending on the question do not pass, stand in the deplorable situation in which they would be placed, if the suspending bill did not once more pass. His Lordship concluded a very long and able speech, with confessing that he was conscious that it was irregular to sit down without making any motion, but he flattered himself that the House would excuse him on account of the great importance of the subject, and not deem what he had taken the liberty to state as matters either frivolous or impertinent to the great question to which he had called their Lordships' attention.

The Earl of *Suffolk* rose, when

The *Lord Chancellor* reminded his Lordship that there was not any question before the House.

The noble Earl replied he merely wished to say a word to a single point, which was to express his hopes that the noble Lord who had just sat down, (and with whom, in many particulars, he entirely coincided) when he brought forward his plan, would comprehend the state of the clergy of Ireland in it.

Lord *Grenville* said he was sorry to trouble their Lordships a second time, but it was necessary for him, to explain that he did not mean personally to propose any plan whatever on the subject, but to state what the plan of the late Government had been, and to recommend it to his Majesty's present Ministers. If that plan were adopted, it would be found that it did comprehend Ireland in it.

The *Lord Chancellor* said that it was irregular to discuss the suggestions which the noble Lord had thrown out, important as they were, unless they had been introduced through the medium of a motion, and it was equally irregular to speak of a bill which, whatever they might individually know of it out of that House, was not before them in a Parliamentary form. The regular proceeding for that House would be, if there should be any bill like that alluded to brought up to them, to proceed upon it in such manner as their own sense of their duty should direct, but not to debate it before it was brought up to them.

Lord *Rolle* rose, when

Lord *Sturtevant* rose to speak to order, and said he must object to so disorderly a proceeding as continuing to debate and

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held a conversation without any question whatever being before the House.

Lord R. said he merely wished to state from his own personal knowledge, that the Protestant clergy of Ireland were in a wretched state, that many parishes had been laid waste, and there was neither residence on them for the clergy, or churches for them to preach and to do duty in.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 2.

The *Secretary at War* brought up the army estimates for the remainder of the year, which were ordered to lie on the table.

The right honourable Gentleman also gave notice that he would move the above estimates in the committee of supply on Monday.

Mr. *Banks* wished to know if these estimates were to contain the peace establishment; and whether it might be more convenient to have them printed, that Gentlemen might have a full and satisfactory view of the extent of that establishment?

The *Secretary at War* observed that printing the estimates would occasion a great delay of time, which would considerably retard the public business, and that a transient glance at the papers on the table would furnish all the information his honourable Friend seemed to wish for.

Mr. *Banks* thought that such an abstract could be made out of the estimates as might convey the information which, in his opinion, should be before the House, and that such an abstract could be printed within the time which his right honourable Friend had proposed for taking the estimates into consideration; but if that could not be conveniently done, it was by no means his intention to throw the least delay in the way of the public business.

The *Secretary at War* did not see how such an abstract could be made out, consistent with the usual forms and proceedings of the House.

The Scotch militia bill was read a third time and passed.

Lord *Glenbervie* moved the thanks of the House to the Reverend Dr. Wm. Vincent, for the excellent sermon preached before the House the preceding day, and that he be desired to print the same. Agreed to *nem. con.*

The

[JUNE 2.]

COTTON APPRENTICES BILL.

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The report of the yeomanry bill was further considered, and the bill ordered to be read a third time the next day.

It was moved in a committee on the Dutch property act, that the chairman be instructed to move for leave to bring in a bill to repeal the provisions of the said act, and to bring in another bill in its room. The report was then received and leave granted to bring in the bill,

COTTON APPRENTICES BILL.

On the motion of Sir R. Peel that the cotton apprentices bill be now read a third time,

Mr. Lascelles rose once more to state his objections against the measure; it was one that might affect the cotton trade at large, and that must act as a peculiar restriction on certain descriptions of manufacturers; it was his wish that the objectionable clauses might be left out, or that the bill should be put off till next session.

Mr. Shaw Lefevre objected to the bill, as tending to make the night work a greater evil than it was before, and as throwing the labour on the free children. It moreover exposed many respectable manufacturers to penalties, without leaving them the means of obtaining redress. Indeed he had many objections to the general principle of the bill.

Sir R. Peel was sorry to have to address the House again in this late stage of the bill, after a great majority of the House and of the country had so unequivocally declared in its favour. He confessed that it did not go to the extent that might be wished; but it was advisable to do as much good as could be done in the present instance, without venturing on any thing like hazardous innovation. The great and first object he had in view in bringing in this bill, was to promote the religious and moral education of the children; and in his endeavours to accomplish this end, the measure he trusted would prove free from harm, and productive of much real advantage. Without a measure like the present, no gentleman of weight in the country could visit those mills, even though fever raged in them, or other kinds of misery and distress, so that there were no hopes without it of introducing into them any system of wholesome regulations. He was satisfied that if the House would agree to the bill they would do themselves as much honour in passing it as it would prove beneficial to those for whose relief it was intended.

Mr. *Wilberforce* brought up a clause to make it lawful for the owners of mills employing from 1000 to 1500 children to continue the night work till the 25th of December, 1803; and for those who employed a larger number, to continue the night work till the 25th of June, 1804. This and several other clauses were agreed to, and ordered to make part of the bill; after which the bill was read a third time and passed.

On the motion, that the House do now resolve itself into a committee on the controverted election bill,

Mr. *Banks* rose and re-stated his objections against it. In Ireland, Parliament had gone on for more than twenty years without the introduction of nominees; and if that nomination was now to take place with respect to the controverted elections of that part of the empire, it must be productive of many and great inconveniencies. Indeed, such an appointment must vitiate the whole process, and take away from the original purity of the Grenville act, by giving room for the play of partialities and predilections. It was therefore his intention to move, and he should now move, a clause for abolishing the appointment of nominees on the trial of such controverted elections.

Mr. *M. A. Taylor* insisted on the necessity of assimilating such trials to trials in a court of justice; that some person competent to act as a judge might regulate the proceedings of the tribunal. At present thirteen Gentlemen might be called upon to try a controverted case, without their possessing a sufficient degree of knowledge in parliamentary law to enable them to execute the duty imposed upon them, with accuracy and precision. The tribunal, in his opinion, would be better constituted, if persons conversant with parliamentary law were chosen to enlighten and guide its proceedings, and to act for their clients according to the best of their judgment and knowledge. The choice of such persons as well known to be directed, not by the suggestions of private friendship, but by the reputation which professional gentlemen enjoyed for the extent and accuracy of their knowledge of parliamentary law and proceedings. Here there was no inlet for the influence of partiality or predilection. As to the observation of the right honourable Gentlemen, that the measure now proposed would throw inconveniencies in the way of a respectable description of Gentlemen in the House, the Members for Ireland, that, in his opinion, was an argument merely *ad captandum*, to stir up the prejudices of

of that class of Gentlemen against the measure, as likely to involve in embarrassments their trials for controverted elections.

The question was then put on Mr. Banks's clause, when the House divided.—For it, 25.—Against it, 77.

The bill passed the committee, and was ordered to be repeated the next day.

A message from the Lords informed the House, that their Lordships had agreed to the Irish loan bill, to the Irish national debt bill, to the refined sugar drawback bill, to the Irish marine bill, and a variety of other bills.

The West India dock bill passed through a committee, and was ordered to be reported the next day. In the committee a clause was agreed to for granting an indemnification to the sugar coopers of London, whose interests are affected by the bills.

The southern whale fishery bill was read a third time, passed, and ordered to the Lords for their concurrence.

The House resolved itself into a committee of supply. The report on Dr. Jenner's petition, together with the report of Mr. Greathead, inventor of the life boat, were referred to the said committee.

Admiral *Berkeley* rose, to call the attention of the committee to the first of these petitions, and took occasion to expatiate on the importance of the discovery to which it referred; a discovery which had met, not only with the approbation of the faculty of this country, but was universally admired all over Europe. It was a discovery, the beneficial consequences of which were experienced, not merely in this country and Europe, but were likely to extend over all the civilized world. The manner in which it had been communicated he likewise insisted on, as intitling its author to a liberal reward. It had been communicated with a spirit of the most commendable liberality, and in the manner of this communication its author had incurred a very considerable expence. He spoke on grounds which might be depended upon for accuracy, when he stated that in the mere article of communicating this important discovery, the learned author had incurred a daily expence of from ten to twenty, or even thirty shillings. The honourable Member, after going over the different precedents of reward voted by the House to the authors of important discoveries, concluded by moving,

That a sum not exceeding 10,000*l.* should be given to Dr.

Edward

Edward Jenner, for the promulgation of his invaluable discovery of the system of vaccine inoculation.

Sir Henry Adolphus said, he did not think the sum proposed was by any means adequate. There was ample testimony from every quarter of the benefit arising from the discovery of Dr. Jenner, who, as soon as he made it, did not keep it locked up in his own breast, but liberally imparted it to the world. Dr. Jenner might, if he had kept it a secret, have made 100,000*l.* by it, as well as any smaller sum; but he had explained the whole to the world in the clearest manner, and given every information upon the subject that was in his power. He concluded by moving to insert the sum of 20,000*l.* instead of 10,000*l.*

Mr. Banks said, there was a paramount duty vested in that House, as the guardians of the public purse, which it behoved them to attend to. As far as he had looked into precedents relative to the present case, they resolved themselves into two divisions: the one case was, where the discovery was made a matter of public notoriety, and the other, where it remained a secret, and became the subject of a bargain between the public and the inventor, for the purpose of buying the secret. Of the latter there were many instances, and the House should remember how often it had been led away by the fashionable rumour of the day, or other circumstances, to bestow sums in this way, which they might now wish to be recalled. One of these instances was the grant of 5000*l.* to Mr. Stevens, for a solvent for the stone, which had been found to be inefficacious. There were also several others; but he merely wished to put the House into a state of diffidence with respect to the subject now before them, though he believed there was as little danger of this discovery being discredited by subsequent practice as any that could be named. If, however, it was to be once contended, that every discovery of public utility ought to be remunerated by the House, the public purse would not be large enough to satisfy all the claimants. No persons were more fairly remunerated than those of the medical profession in proportion to their skill; and though this discovery was so far in the hands of the public, yet the carrying it into effect was coupled with medical skill, accuracy, and experience, and was there not reason to believe that those who wished to partake of the benefit of this discovery would go for it to the fountain head? It was unfortunate that Dr. Jenner had imparted the secret to the public, though his conduct certainly displayed

DR. JENNER'S PETITION.

displayed the greatest liberality. The inventors of the inoculation for the small-pox have made ample fortunes by it, though they had published it to the world, as all went to them to conduct the process. If the honourable Gentleman meant this as a question of justice, he did not know why they should ask for so restricted a sum; but he contended that Dr. Jenner had at present the means of remunerating himself. He acknowledged the utility and general benefit of this discovery, and the liberality of the conduct of Dr. Jenner; but he could not think himself justified in thus voting away the public money.

Mr. Windham said, that much of what had been urged by his honourable Friend made against the conclusions he had drawn. What his honourable Friend had said about the guardians of the public purse, would not guide them on the present occasion, as it only went to this, that they should not grant a reward where it was not deserved. Here, however, they had to consider whether this discovery deserved reward, and if so, what was the sum that ought to be given. It had been stated that a number of persons having made discoveries, rendered the secret of those discoveries the subject of a bargain beforehand. He could only say that was not the case here, a part of the merit of the petitioner was that he had not followed that line of conduct: in this case the discovery had been imparted to the world, and its benefits proved, before a reward was solicited. If the inventor had kept the secret to himself, he was at a loss to say what would have been the duty of the House to give to buy the secret. The general question in cases where a public reward was asked for an invention was, whether it was a useful and original invention? When his honourable Friend said he was on the committee, and talked of rewards impolitically granted, he thought his honourable Friend was going to state, that there was no merit in the invention, or, at least, that there were great doubts as to its efficacy; but, on the contrary, his honourable Friend had concurred in the general opinion of the utility of this discovery. Thus then the fact was admitted. The next consideration was, the extent of the utility, which was in this case beyond estimation; it went to the complete eradication of that dreadful disorder the small-pox, as it stopped the propagation of it, and, in fact, did more by stopping the propagation than by saving individuals. The next question was, whether this was an invention that paid itself; for if so, the inventor could have no claim for a public reward.

Here,

Here, however, this was not the fact, and it was here that the practice of this discovery would be confined to the Faculty; but it was not likely, as supposed by his honourable Friend, to be confined to Dr. Jenner, as it was capable of being applied by every medical man. This was not the case with the Suttons, the inventors of the small pox inoculation, with whom the secret remained a long time before it became generally known. It might be said there was still another consideration that might be alledged, that the inventor having made the discovery, could not conceal it; but here, though it might have been difficult to conceal it entirely, yet it might have been so far concealed, that it could not have been applied by others, and therefore there was a merit in Dr. Jenner, in not concealing it. With all these claims, he had no hesitation in saying, that the discovery was one which was entitled to reward, and that a reward ought to be given, not only for the sake of this, but to encourage others to turn their minds towards discovery, and to encourage others, when they had made any useful discovery, not to conceal it, but to impart it as speedily as possible to the public. With respect to the sum proposed, he thought it was the least that could be given for such a discovery, and he had not the smallest hesitation in supporting it.

Sir *James St. Clair Erskine* thought the sum proposed by far inferior to any thing like an adequate remuneration. The House were not, perhaps, aware of what he would now state: the positive expence incurred by Dr. Jenner in promulgating his discovery, did not amount to less than six thousand pounds. If the sum to be voted was meant as a reward for the discovery, he thought it much too small; the sum of 20,000l. appeared to him the least that ought to be given in the light of a reward. At all events he conceived, that if the reward was to be limited to 10,000l. at least the expence which Dr. Jenner had incurred ought to be separately refunded; and he should therefore propose, that the sum to be voted should not be less than 15,000l. The House were farther to consider, that in addition to the actual expence incurred by Dr. Jenner, he had sustained a very large loss by relinquishing his business in the country, which he had now no hope of being able to recover. He stated it from information which might be depended on, that his profits had not been adequate to the payment of the rent of his house. With such facts before them, he trusted that the Committee would see the propriety of encreasing the reward.

Mr,

Mr. M. A. Taylor professed himself extremely desirous of granting a liberal remuneration to the author of so important a discovery, but the facts stated in the speech of the honourable Member who had spoken last were not regularly in the possession of the House, and could not form the foundation of the vote which might be passed. As the only means of having them regularly brought under the view of the House, he suggested the propriety of re-committing the petition.

Mr. Hobhouse allowed that the facts alluded to were not specifically before the House; but maintained that, from the report itself, as well as from the appendix, it clearly appeared that Dr. Jenner had sustained a very considerable loss, in consequence of relinquishing his business in the country and coming to London to promulgate the discovery. The honourable Member further called the attention of the committee to the deposition of a gentleman of the first character in the profession (Sir Walter Farquhar), who states in his evidence that, if Dr. Jenner had concealed the discovery, instead of making it generally known to the world, it might have produced him a gain of 10,000*l.* a year.

Mr. Fuller spoke in favour of the motion, but thought the reward inadequate.

The Chancellor of the Exchequer said, that whatever sum of money the committee might vote to Dr. Jenner as a future reward for his merit, there was one thing clear, and that was, that Dr. Jenner had already received the greatest reward that any individual could receive, the approbation, unanimous approbation, of the House of Commons; an approbation most richly deserved, since it was the result of the greatest, or one of the most important discoveries to human society that was made since the creation of man; and he doubted whether the House of Commons would ever be again called on to decide on a point of greater importance or utility than that which was now before the committee. Two reports were now upon the table of the House, and they were founded on two petitions from two individuals, who had each been most laudably and successfully employed in making discoveries for the preservation of human life. One saved human beings from the perils of shipwreck, the other from perils still greater. With regard to the merit of Dr. Jenner, it was needless to say much, there was no difference of opinion in the committee on that subject. That he had made the important discovery for which the reward was asked, that the value of the discovery was without example,

and beyond all calculation, were points not to be contested, for they were made out by convincing evidence, and that he had precluded himself from great emoluments by the generosity of his own conduct, was also most manifest; withing as he did to see such a person rewarded, yet knowing as he did that he had also a duty to discharge towards the public in voting away the public money, he must intreat the committee to pause a little before it adopted the amendment now proposed. One effect of the discussion would be, to confirm the general use of the practice of this species of inoculation; another effect would be, to establish, for ever, the merit of Dr. Jenner; at the same time it could not be denied, that while both the practice and the fame of its author, became as extensive as possible, the vote of 10,000*l.* by Parliament as a remuneration to Dr. Jenner, would have the effect of enlarging the general practice of that learned physician in the way of his profession; so that both the subject itself, and the individual who discovered it, would be still better known to the world at large by this vote. He would ask whether any member of the committee doubted that Dr. Jenner's practice as a physician would not be extended by a vote of 10,000*l.* to him by this committee? Most undoubtedly that practice would be greatly extended by that vote, as well as by this discussion. If he were called upon to say what remuneration was to be given to Dr. Jenner, and that he was to be governed in the amount by the value of the discovery, he really did not know the sum, because the value of the discovery was above all calculation; but that was not the principle on which the committee professed to proceed, or on which it was practicable to proceed, the advantages being boundless; whereas the remuneration must of necessity have its limits; and then the question would be, what, under all circumstances, was a reasonable remuneration to the author of this discovery? The difference between 10,000*l.* and 20,000*l.* was not the standard by which the committee judged of the merit of Dr. Jenner, but the question upon the sum was one which had a reference to the duty which the committee had to perform to the public. He admitted, indeed, with the right honourable Gentleman opposite to him (Mr. Windham) that the House of Commons were not guardians merely of the public purse, but they were guardians also of the interests of the public, and certainly as such, would do well to encourage inventions for the preservation of the public health, which formed a very material part of the public interest, and by that

that consideration alone, he should be led to vote the larger sum proposed; but he confessed, that, under all circumstances, he did not think himself justified in recommending it to the committee, as a fit thing to vote this large sum. When he recollected that the value of the invention was beyond all calculation, and when he considered the extent of the merit of Dr. Jenner, he confessed it was painful to him to oppose any sum of money, however large it might be: but when he considered that the Doctor must have other advantages besides this vote, that the practice of the Doctor would necessarily be very much extended, then he thought the lesser sum was that to which the committee ought to assent. What had been said on the subject of the losses of Dr. Jenner in the pursuit of this discovery, he conceived to be inaccurate, with reference to the report of the committee. He believed that losses had been confounded with expences; it appeared that the Doctor had been at considerable expences in this pursuit, but there was no evidence of his having sustained any losses. In a word, if he did not think that Dr. Jenner would gain other great advantages from this vote, beside the vote itself, he should think himself called upon to vote for the larger sum; but being entirely convinced that he would have many other advantages, and to a great extent, he found himself bound to declare his opinion in favour of the lesser sum. In saying this, he was rather pursuing the sense he had of his public duty, than his own feelings: were he to give way to his feelings, he might assent to any sum, but that was not the course to be followed by men in the discharge of their public duty. He had, however, the satisfaction to reflect, that this discussion had given to Dr. Jenner a reward that would last for ever, and also that the comfort of his family would be amply provided for in his extended practice, by means of the sanction of that House.

Mr. Grey said, that from the tenor of the right honourable Gentleman's speech, from his owning that this discovery conferred to many benefits on mankind, he hoped he would have concluded by concurring with the amendment. The importance of the discovery no one could doubt; some difficulty might indeed be made with regard to the extent of the remuneration. We should not in this be too much guided by a view to the expences incurred, lest we should run the risk of rather giving an indemnification than a reward. He had heard no good reason given for limiting the sum to

10,000l. He conceived there was no fear of its becoming a dangerous precedent, as such discoveries were not made every day. The right honourable Gentleman had said, that Dr. Jenner would find a reward in his own conscious benevolence. This, indeed, might afford much gratification to him, but it ill became the House to diminish their reward because his merit was of such a nature as to yield gratification to benevolent feelings. As to the vote of the House increasing his practice, he saw no reason to expect such a consequence, when every thing attending the vaccine inoculation had been rendered so easy by Dr. Jenner's generous communications. All these circumstances considered, he hoped the House would vote for 20,000l. or at least 15,000l.

Admiral *Berkeley* said, that though he had made the motion he did not conceive himself bound to vote for it. He should gladly vote in favour of the amendment proposed.

Mr. *Wilberforce* stated, that Dr. Jenner had been engaged in completing this discovery upwards of twenty years; that to the prosecution of it, he had devoted that time, and those talents which he might have turned to greater emolument by general practice. He was not to be considered as an adventurer who might hope by this discovery to push himself into practice. He had attained celebrity in his profession, and an extensive practice, which he had sacrificed to completing this discovery. There was not a likelihood of his regaining what in this way he had lost, as many others had from his communications acquired such a complete knowledge of the vaccine inoculation as to be employed with equal confidence. Nor was it likely that he would acquire a general practice, as many would be led to suppose that by his exclusive attention to vaccine inoculation he had become less skilful in other parts of medicine. In every view he thought the larger sum ought to be voted.

Mr. *Courtenay* thought that as all sides agreed in the importance of the discovery, the remuneration ought to be liberal. It had been stated that, by the new system, 40,000 human lives would be saved to the state. According to the most accurate calculations each individual contributed on an average forty shillings to the exigencies of the public; and thus, by the discovery now under consideration, 200,000l. would find its way into the public treasury which had formerly been lost. Under these circumstances he did not see the propriety of sticking about the reward,

After a few words from Sir W. Elford a division took place.

The question on which they divided was, that the words 10,000l. do stand part of the motion. The numbers were—

Ayes 59 Noes 56 Majority 3

In case the words had been expunged, it would have been proposed to supply their place by substituting some larger sum.

Mr. *Burdon* then rose to move for a remuneration to Mr Greathead, for his discovery of the life boats. After an ample statement of the importance of the invention, the two Members concluded by moving, that his Majesty be enabled to allow Mr. Greathead the sum of 1000l.

Sir *M. W. Ridley* said, that five hundred valuable seamen had already been saved by this discovery; so that, if 1000l. was voted, it would be only 40s. a head for some of the most valuable members of the community, which he could not but think a very inadequate reward. He should therefore move, that instead of 1000l. the words 2000l. be inserted in the resolution.

Mr. *Grey* added his testimony to the Gentleman who had gone before him, as to the usefulness of the invention; within a few years at least three hundred lives had been saved on the coast of Northumberland alone. He approved of the larger sum, and was of opinion, that, to excite emulation in others, the reward conferred on Mr. Greathead, should be generous.

Mr. *Wilberforce* followed on the same side.

Mr. *Ellison* was of opinion, that after a long and expensive war the House was not warranted in thus adding to the burthens of the people. He thought that a place of profit should be conferred on Mr. Greathead by administration.

Dr. *Laurence* maintained that the House of Commons was the proper rewarder of merit of this nature. In the Court in which he practised, a much larger sum than the largest of these was often awarded as salvage for saving a single ship, and he should be ashamed to offer the author of an invention of such incalculable utility less than 2000l.

Mr. *J. Martin* lamented that when millions are readily voted for the extermination of the human race, such backwardness should be shown to reward one who was such an eminent benefactor to it.

Mr. *Freere* thought that in fixing rewards, the rank of the persons to whom they were to be given ought to be considered,

sidered, and he could not but think the sum of 1000*l.* a proper remuneration to one in Mr. Greathead's circumstances.

After a few words from Mr. J. H. Brown, Mr. Buxton, and Sir M. W. Ridley,

The *Chancellor of the Exchequer* said, he felt himself under the painful necessity of again opposing a sense of duty to his inclination to liberality. Reference should be had to the condition in life of the person to be rewarded, and it would probably be felt, that 1000*l.* was a larger sum to Mr. Greathead, than 10,000*l.* to Dr. Jenner. He allowed very great merit to the invention, but from its simplicity it could not have cost much pains; the nature of it rendered secrecy impossible, and a patent could not have been obtained for it.

Mr. Grey and Sir M. W. Ridley denied that Mr. Greathead was a man at all apt to be injured by 2000*l.* or a much larger sum. He was a very intelligent and ingenious man, and had been long a respectable boat-builder. To bring this discovery to perfection had cost years of study and labour, and the moment it was completed he generously used every exertion to make it public.

Mr. *Whitbread* observed, that the expenses which Mr. Greathead had incurred in his stay in London while prosecuting his petition, joined to fees of office, which alone amounted, as he was credibly informed, to 200*l.* would be a considerable deduction from 1000*l.* He hoped then, that the House would at least vote the sum clear, if they adhered to it.

The *Chancellor of the Exchequer* said, that the honourable Gentleman had been misinformed as to the amount of the fees. They might in all amount to 100*l.* Mr. Greathead's stay in London might, in some degree, be attributed to himself (the *Chancellor of the Exchequer*) in putting off the question so long. However, the delay had not been altogether unprofitable to the petitioner, as it had been the means of introducing him to several bodies who might forward him in the way of his profession. He had no objection, however, to the sum being made 1200*l.* which would cover the expenses and fees.

After a few words from Mr. Wilberforce and Mr. Grey, who wished to have 1500*l.* substituted,

The question was put, that 1200*l.* stand part of the resolution, which was unanimously agreed to, and the report ordered to be received the next day.

Sir W. Scott's bill and the sinking fund were deferred till the next day.

The

The land tax redemption bill was read a second time, and committed for the next day.

Mr. *Alexander* brought up the reports of the British fishery bill, of the alien bill, and of the police bill, which were agreed to.

The report of the committee respecting the increase of hackney coaches was brought up and agreed to, and a bill ordered to be brought in.

Mr. *Ormsby* moved, that the acts of the 37th and 40th of Geo. III. in the Irish Parliament, respecting the importation of coffee, be read. Ordered.

He then moved that the House should resolve itself into a committee to take the said acts into consideration the next day. Ordered.

Mr. *Ormsby* moved, to withdraw some accounts respecting Irish finance, which were inaccurate, for the purpose of presenting other accounts. The accounts were withdrawn, and Mr. Crofton, from the treasury of Ireland, presented other accounts.

Mr. *Vanfittart* moved, that the House should resolve itself into a committee, to take into consideration certain charges relative to the postage of letters between this country, France and Holland.

The House having resolved itself into a committee,

Mr. *Vanfittart* said, he wished to propose certain resolutions to the committee relative to the postage of letters between this country and France and Holland. At present letters going from this country to France paid only 10d. postage, and letters coming here paid 14d. It was now agreed that the postage in either case should be the same, viz. 10d. In consequence of a very beneficial arrangement between the two countries, our letters to foreign countries were to pass through France at the same rate of postage as before the war, though the rate of postage had considerably increased in France since that period. With respect to the arrangement between this country and Holland, letters going from this country paid 10d. and letters coming to this country paid 14d. It was proposed to equalize the postage by making it 1s. in both cases. He should also propose that instead of two post days in the week, that a mail should go to those countries four days each week. The last resolution he had to propose was to take off the duty upon the tonnage of the packets employed between Dover and Calais. The French Government had consented, in consequence of their packets being

being exempted from the tonnage duty, to exempt our packets from a much larger tonnage duty in France. He then proceeded to move several resolutions, which were agreed to, and the House being resumed, the report was ordered to be received the next day.

The other orders of the day were then postponed, and the House adjourned till the next day.

HOUSE OF LORDS.

THURSDAY, JUNE 3.

The annuities bill to raise money for the service of Ireland, and upward of twenty other bills, several of them public, and several inclosure bills, received the royal assent, by commission.

Six bills were then brought up from the Commons by Lord Glenbervie, Mr. Charles Dundas, Mr. Shaw Le Fetre, and others, presented, and read a first time.

EARL OF BERKELEY'S PEDIGREE.

Lord Clifton (Earl of Darnley) rose to remind their Lordships of some proceedings that had taken place three years ago relative to the pedigree of the Earl of Berkeley. The proceedings to which he alluded had occupied the attention of the House for some weeks, and were at length put an end to by the motion of a noble and illustrious Duke opposite to him (the Duke of Clarence); and as that motion left the proceedings in a very unfinished and imperfect state, he thought it highly necessary for the honour and feelings of the noble persons implicated in the inquiry instituted, to move for the revival of those proceedings, and therefore he moved to have the question of adjournment read.

The question was accordingly read from the minute-book of the committee of privileges, and was as follows:

Die Jouis, 20 Junii, 1799.

"Then it was moved that this committee do now adjourn. Accordingly the same was adjourned."

Lord Darnley resumed his speech; he said many of their Lordships would doubtless recollect that the grounds which led to the motion of the noble and illustrious Duke were these: a noble Duke whom he did not then see in his place (the Duke of Richmond) had put a question to a witness at the bar, which involved, in the answer it called for, what must necessarily have given great offence to the delicacy and feelings of the noble persons implicated in the result of the investigation then proceeding upon. He had therefore, his Lordship said, taken the

the liberty to object to the question being put, and a conversation arising thereupon, a noble and learned Lord now present strongly reprobated the whole proceeding as futile in itself, and inapplicable to any functions that the House possessed. In consequence of which declaration, and a coincidence of sentiment in the minds of several other noble Lords, the noble and illustrious Duke moved the adjournment, which was agreed to. Lord Darnley said, it was not necessary for him to detain their Lordships with entering into farther particulars of what passed in 1799 upon the subject, he would therefore content himself with moving, that the said proceeding be revived in the committee of privileges next Thursday.

Lord Thurlow rose and said, that for the very reason which in 1799 induced him to state his objections to the proceeding then going on, he must resist the motion just made by the noble Lord. He objected in 1799, because the House engaged in a transaction that was in itself a nullity, the House possessing no jurisdiction whatever over such a cause as they were then engaged in. They were, in fact, trying a cause involving the interest of parties not before them, parties who were minors, and in whose behalf no person appeared, and a cause involving considerations of great delicacy with regard to the feelings of noble persons, with the devolution of whose title and honours, and the disposal of whose property they had no right to interfere. In this extraordinary and anomalous proceeding the House had engaged, contrary to every mode of trying causes, known or practised in any other court of judicature in the country, and in a manner perfectly repugnant and revolting to every principle of law and justice, because all their examinations of persons called to the bar amounted to nothing; it was not evidence, and could not be received as evidence in any court of record in the kingdom. But, exclusive of this, his Lordship said, a new and still stronger reason had arisen in the interval since 1799. He had been informed that a regular process had been instituted in the highest court below, the Court of Chancery, where legal evidence could be regularly taken, and which must be received as such in every court of law in Westminster-Hall, and the result, he was given to understand, had been, that the Earl of Berkeley's first marriage, by a body of unquestionable evidence, had been clearly established, and his eldest son not only proved to be his first-born male issue *de facto*, but his legitimate eldest *de jure*. The clouds and doubt, therefore, that had been

thrown upon that very interesting and important circumstance, and which appeared to have made some impression on the minds of several noble Lords, particularly a noble Lord in his eye (Lord Rosslyn), on account of the first marriage having been celebrated in private, and a second marriage been subsequently celebrated. were removed and cleared up. His Lordship said, that, in addition to the reasons that he had stated, which had led him to object to the proceedings going on in that House in 1799, and which now induced him to resist the noble Lord's motion, one strong additional argument arose, out of the fact of the parents having been examined, which was essential to the merits of a cause of the nature he had described, and to the interests of all the parties whenever the parents testimony could be taken and made matter of legal evidence, and in the cause in the Court of Chancery it was legal evidence, but in that House the parents could not even be heard. So far, therefore, from concurring in opinion that the proceeding should be renewed before their Lordships, he should be, for a very different mode of proceeding, and that would be, to move for the repeal of the standing order, and annul the orders issued to Garter King of Arms under its authority. His Lordship detailed the particular powers that were given to Garter King of Arms under that order, and reasoned upon their effect, in order to shew the absurdity and inefficacy of any inquiry instituted by virtue of what Garter King of Arms thought it his duty to bring forward, in consequence of the order's reference to him. After much able reasoning, his Lordship concluded with moving, as an amendment, to leave out the principal words, and to insert "that the standing order be repealed."

The *Lord Chancellor* left the wool sack, and said, it had not been his good fortune to hear distinctly what the noble Lord who made the original motion had said, and as to what had passed in that House, on a former occasion, their Lordships would recollect, that he had not at that time the honour of a seat in the House. He knew, therefore, nothing respecting them, further than what had come to his knowledge by means of a proceeding that had regularly been brought before him, in the place in which his Majesty had done him the honour to place him, he meant the Court of Chancery. A process had been there formally instituted, in consequence of a suit brought by a minor to establish his right to eldership, by virtue of a claim of rightful heirship to his father's title and honours, as well as his fortune after his demise, whenever that event

event should take place; that claim depended altogether on his own legitimacy, which could only be established by the validity of his father's marriage previous to his own (the son's) birth being legally proved. It was undoubtedly true that the testimony of a father and mother can in such a case be taken in the Court of Chancery, and is to all intents and purposes legal evidence, as it would be in every other court of law, where it must ever continue to be received in future time as a legal record, after their demise, whenever an issue shall be to be tried to which it bore relation, because it is taken *in perpetuum rei memoriam*, as it is usually termed. Upon the pleadings and depositions urged and produced in the cause to which he had just referred, the legality of the first marriage of the Earl of Berkeley and his present Countess was fully proved and established. But it was a practice of that court, founded on the strictest principles of equity and justice, to allow a person acting in the character of what was technically called the *near friend* of any other of the children born subsequently, and after the celebration of the second marriage, to enter a claim on behalf of such other child, in order to have it recorded, to remain hereafter to be brought forward, in case such minor, when become an adult, and after the demise of his parents, should chuse to litigate the claim so recorded; and in that case, he, as well as his brother, would be entitled to all the advantage of his deceased parents' evidence having been recorded, in order to preserve it in *perpetui rei memoriam*. Whoever, his Lordship said, ventured to come forward in the character of the *near friend* of a minor—circumstanced as he had described in the process to which he had referred, certainly undertook a very delicate duty and one of high and weighty responsibility. He must, in the first instance, be presumed to be a person intimately acquainted with all the transactions and circumstances of the family, in relation to the interests of any part of which, he took upon himself the duty of acting. In the present instance, the *proch' an' ami* was too respectable to warrant a doubt of his being qualified to fulfill the duties of the character he had assumed; but both claimants being infants, and consequently not contending for any thing they could be put in possession of during the life-time of their father, the courts of law could not entertain any issue upon it during the present stage of the business. His Lordship said he spoke with great deference, and he might say almost with trembling; when he opposed any reasoning of his to any opinion advanced by his noble,

noble, learned, and experienced Friend; the noble and learned Lord opposite to him; but there was a shade of difference of opinion between them upon a part of his noble and learned Friend's argument, which he stated. His Lordship earnestly cautioned and conjured the House against instituting any proceeding within those walls that might eventually, in possibility, weaken the genuine effect of the legal evidence already recorded in the Court of Chancery; and declared that he not only spoke from his head, but he might on such an occasion say, he spoke from his heart, when he gave their Lordships this advice.

Lord *Clifton* (Earl Darnley) lamented that he had not made himself clearly understood by the noble and learned Lord; all that he wished to do upon the present occasion was to remind such of their Lordships as were in the recollection of what had passed in 1799, by the proceeding having been adjourned, of the very awkward and unpleasant situation in which it was left; and to move for the revival of the committee, in order to dispose of the whole matter one way or the other, so as to put an end to it. But what had fallen from the noble and learned Lord near him (Lord *Thurlow*) made it indifferent to him whether his motion was agreed to or not. His end would be fully answered by what had passed.

Lord *Thurlow* rose to reply to part of the speech of the noble and learned Lord on the Woolpack. He shortly recapitulated his former arguments, in order to convince the House of the inefficacy of trying a cause *ex parte* with the parties not before them, where all their examinations of witnesses went for nothing, as it could not be received in any court of law as legal evidence, and thus continuing to carry on proceedings by which nothing could be got. In order, therefore, to put an end to such practices, and to get rid of the disgrace of instituting a mode of trying causes unknown to any other court of judicature in the Kingdom, he would move that the standing order be repealed next Thursday, as soon as the noble Lord's motion should be disposed of.

The Duke of *Norfolk* asked, was the noble and learned Lord aware that he could not move a repeal of a standing order without giving a previous notice? He apprehended that the noble Lord only meant what he had said as a notice for Thursday next.

Lord *Thurlow* said he was in order correctly. That the rule was to state a motion for the repeal of a standing order, and

and name a subsequent day for taking it into consideration.

The Duke of *Norfolk* said, he desired it might be understood that, under such a notice, it would be impossible to do any thing more or less than to repeal the whole standing order, whereas, perhaps, some noble Lord might wish to modify and amend it, so as to rescind the objectionable part, and still preserve the unobjectionable part, under which their own dignities had been maintained, and much good had resulted from it.

A short conversation took place upon this part between the Duke of *Norfolk*, Lord *Thurlow*, and the Lord Chancellor.

Lord *Thurlow* said, among other things, that they might make any order they pleased in order to preserve the dignity of their proceedings, but that he would not give a pinch of snuff for all the Peers' pedigrees that had been laid on the table.

Lord *Clifton* (Earl *Darnley*) rose once more, merely to express his wishes, that let the turn of that proceeding be what it might, the noble Earl who had been the main subject of all that passed in 1799, to which he and other noble Lords had referred that day, would not be placed in a worse situation respecting the proof he had given of his pedigree, nor suffered to remain without something being done to remove the very unpleasant feelings that must have agitated his mind, and that of his noble family, for some time past.

At length Lord *Clifton's* motion was put, and the Not Contents had it, and then Lord *Thurlow's*, which was agreed to.

AMOUNT OF PRODUCE OF OLD STORES.

The Earl of *Suffolk* stated, that, according to the paper laid on the table, it appeared under the head of pensions and gratuities paid out of the produce of the sale of old naval stores, that pensions were paid to the First Lord of the Admiralty, the Treasurer of the Navy, and the Judge of the Admiralty, but the whole of the pensions in the printed list did not amount to above eight or nine thousand pounds; whereas, he presumed, the whole amount of the produce of naval stores was likely to amount to nearer eight times as much. He thought the statements required explanation from Ministers, and he wished to know whether these sums were in addition to those which were set forth in what was called the Red Book, as the salaries of those officers? He therefore moved

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an address to his Majesty to give orders that an account of their whole amount should be laid before the House.

Lord *Pelham* said, as the noble Earl laid so much stress on the word *pensions*, he would not object to his motion. From the time that the office of Lord High Admiral had been abolished, it was well known that fund was created by the produce of the sale of naval stores, and that it was as applicable to public purposes as any other public money whatever. As the noble Earl was so partial to the Red Book, and seemed to think it a great authority, he would tell him at once, that the sums stated in the printed paper on the table were additions to the salaries of the First Lord of the Admiralty, the Treasurer of the Navy, and the Judge of the Admiralty, stated in the Red Book, and generally known to have been paid for many years. So far from there being any mystery in the case, Lord *Pelham* said, he would readily second the noble Earl's motion.

The Earl of *Suffolk* said he had used the word *pensions* because he found the printed paper on the table denominated these "pensions and gratuities."

Lord *Autkland* said, the noble Earl was under a mistake throughout the whole of the opinion he entertained upon the subject. The amount of the produce of the sale of old naval stores was no secret. It was annually laid upon the table of the House of Commons, and was to be seen by any Member of either House of Parliament.

Lord *Suffolk*'s motion was agreed to.

MILITIA AUGMENTATION BILL.

On reading the report of the committee on this bill,

Lord *Hobart* introduced an amended clause, in lieu of that which he had moved in the committee on Monday last.

This gave rise to a long conversation between the Earl of Carnarvon, the Lord Chancellor, Lord Fitzwilliam, Lord *Pelham*, Lord *Hobart*, and other noble Lords. At last the House divided on it:—Contents 13—Not Contents 6.

After some further conversation, Lord *Rolle* moved an amendment, which was agreed to; as were likewise several moved by Lord *Hobart*, which ended the business of the report.

Some other business of form took place, after which the House adjourned to Wednesday next.

HOUSE OF COMMONS.

THURSDAY, JUNE 3.

The House went into a committee on the coffee acts. A resolution was agreed to that the chairman do ask leave to bring in a bill to continue the said acts.

The House was summoned to attend in the House of Peers to hear the royal assent given, by commission, to a number of public and private bills.

The *Speaker*, on his return, intimated that the royal assent had been given to the Irish loan bill, to the medicine bill, to the election oath bill, and to a number of other bills.

Mr. *Corry* said, that on the union of Ireland with Great Britain, it had been determined to make compensation to the officers under the former Irish establishment for any diminution of emoluments which they might undergo in consequence of the union. The Chancellor was one of those who had suffered a most material diminution; a compensation had, in consequence, been granted to the late Chancellor for life; but as this compensation did not continue after his death, the present Chancellor held that office under the same diminution as before that compensation was granted. It was necessary to give a proper remuneration to men of talents who executed the duties of that high office, and surely no one could be accounted more worthy of the liberality of his country, than the present eminent character who held it. In order, therefore, to shew what the emoluments of the Chancellor of Ireland actually were, and what they ought to be, he moved, "That an account be laid before the House of the gross and net emoluments of the Chancellor of Ireland."

Mr. M. A. Taylor and Mr. Stewart said each a few words on the importance of the subject to which the motion referred. The motion was then put from the Chair and agreed to.

The *Secretary at War* brought up some additional army estimates, and took the opportunity of stating, that as it was not likely the House would sit on Monday, he would defer moving resolutions on these estimates till Wednesday. The accounts were ordered to lie on the table.

Mr. *Sergeant* brought up the ordnance estimates for the remainder of the year. Ordered to lie on the table.

The third reading of the yeomanry and volunteer corps bill was postponed till Wednesday.

Sir

Sir *H. Mildmay* obtained leave to bring in a bill to amend the game laws, so far as they respected grouse shooting.

IRISH SIX PER CENT. DUTY.

The House then resolved itself into a committee on the bill for taking off the duty of six per cent. from Irish retailers.

Mr. *Corry* said, that in order to explain the subject completely to the committee, it would be necessary for him to take a short view of the origin and progress of this duty of six per cent. on retailers. In the reign of Charles II. a duty of five per cent. was laid upon all goods imported into Ireland. The excise was allowed to be paid on transferring the goods to the retailer and consumer, instead of levying it immediately on importation. At a considerable interval afterwards, these exemptions and advantages were taken away, and, in lieu of them, the wholesale dealers were allowed a discount of six per cent. on immediate payment of the duties. Affairs remained in this state till the year 1782, when this discount was entirely discontinued, and the wholesale merchants, as well as the retailers, stood in the same situation as under the original act; but, at the same time, the disparity between them was continued by a new imposition of six per cent. on the retailers. This was laying an unequal and a very heavy burden on that body of men; but, in reality, six per cent. was not the whole of their burden; for adding the importation duty to it, they, in fact, paid 11 per cent. on their goods. Such a heavy taxation certainly called for relief. A petition lay before the committee, to this effect, from the Irish retailers. They understood that no unequal duty was paid by the English retailers; they, therefore, petitioned that Parliament would assimilate them to the English retailers, according to the spirit of the union. The duty, besides, was not productive, and taking it off would be a very small diminution of the revenue. He was convinced of the propriety and justice of hearkening to this petition, and, therefore, he concluded with moving, "That leave be given to bring in a bill to relieve the Irish retailers from the duty of six per cent."

Mr. *Beresford* said he could by no means agree with the ideas of the right honourable Gentleman on this subject. The allegations in the petition he looked upon as very incorrect. They seemed to give a recent origin to a duty that arose from the nature of the excise act passed in the reign of Charles

Charles II. The wholesale merchants were allowed originally to bond their goods. This privilege they exchanged in 1679 for six per cent. discount on prompt payment of the duties. This regulation continued till 1785. It was impossible to allow the retailers to bond their goods, and therefore they had never had this privilege, or any compensation for it, and consequently the difference between them and the wholesale merchants had continued for a space of 123 years. Another allegation was, that no such difference existed in England. But this arose from there having been no import duty there, otherwise such a difference would have been a necessary consequence. The six per cent. imposed in 1785, only placed the wholesale and retail dealers on the same relative situation as they were before that period. An alteration in this relative situation would require also an alteration in the other mercantile laws. It had been urged, that it was intended to place the retailers on a footing of equality with the other dealers. He did not like the term equality; he was not for altering old laws, and introducing innovations in order to favour that system. And as the wholesale dealers laid out a much greater capital, and their returns were slower, he thought it was just that they should have superior advantages to the retailers.

Mr. *Ormsby* thought the retailers entitled to relief.

General *Gascoyne* gave the measure his cordial support, and expressed his satisfaction that the principle of assimilation between the two countries was carrying into effect.

Mr. *Corry* did not wish himself to be considered as pledging himself to the principle of assimilation, except where it could be acted upon with fairness to both countries. The present question had no connection with the relative situation of the two countries in respect to each other; it turned entirely upon the internal policy of Ireland, and in this respect alone he wished to be understood as at present claiming its assimilation with England.

Mr. *Foster* contended that the relief at present moved for was unnecessary. The six per cent. imposed in 1785, was never complained of till the retailers were, four or five years ago, brought forward and shewed how to form complaints. When it was considered that the revenue of Ireland, last year, scarcely amounted to 400,000*l.* above the interest of its debt, we ought to be very careful in taking off the smallest tax, unless a better substitute for it could be first provided. But no better could be found than a tax sanctioned by time.

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submitted to without complaint, and nowise vexatious in its
operation.

The House then divided on Mr. Corry's motion, ayes 33,
noes 18.

The consideration of the Chancellor of Ireland's income
was referred to the committee of supply on Wednesday.

Mr. Lee brought in a bill to regulate the importation and
exportation of coffee, which was read a first time, and ordered
to be read a second time on Wednesday.

General Gascoyne withdrew his motion on the slave carry-
ing act, on account of the late period of the session. He put
it to the candour of the honourable Gentleman opposite (Mr.
Wilberforce), whom he now saw in his place, whether he
would not consent to withdraw the motion of which he had
given notice for this evening?

Mr. Wilberforce rose to reply, and was proceeding to speak
of the powerful motives which induced him to with the sub-
ject to be discussed in the course of the present session, when
he was interrupted by

The Speaker, who thought that he ought to confine him-
self simply to giving an answer to the question, whether he
was resolved to persist in his notice, or whether it was his in-
tention to withdraw it. In case he meant to persist in bring-
ing forward his motion, he begged leave to remind him, that,
by his own consent, the discussion on the Irish controverted
election bill was to have precedence.

Mr. Wilberforce would not consent to withdraw the notice
without further explanation.

SINKING FUND.

The Chancellor of the Exchequer here interfered, to claim
precedency for the committee on the bill for consolidating
the funds applicable to the reduction of the national debt.

The order of the day was accordingly moved by him on
this subject, and the House resolved itself into the com-
mittee.

The Chancellor of the Exchequer observed, that having, on
several former occasions, stated the object of the bill, he
should now content himself with moving, that the several
clauses be filled up. He accordingly moved the first clause,
when

Mr. Banks rose, and entered at some length into a discus-
sion of the merits of the new system which the bill was to
establish. After all the attention he had been able to bestow
on the various calculations laid before the House to illustrate
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the nature of the measure, he was convinced that the sole advantage which the public would derive from the plan would be a saving of one per cent. on money which had been borrowed, and on the fifty-six millions for which the income-tax was pledged, and which had been made a part of the consolidated debt of the country. That, under the present circumstances of the finances of the country, it was a considerable advantage to save so large a sum of money he did not pretend to deny, but the House ought not to be led away by the prospect of an immediate advantage without attending to its remote consequences. When so much stress was laid on this one, and, as he conceived, only good effect of the measure, some attention was due to the worse situation in which it would place the public debt for a great number of years. Taking the calculation the most favourable to the measure, and supposing that the 4 and 5 per cents were at par, and the 3 per cents at 75, it would be twenty-eight years before the nation received any advantage from the proposed consolidation beyond what he had already stated. The measure appeared to him, therefore, one which could not fail to excite the suspicions of the monied men, and produce an opinion very unfavourable to the national credit. It was the suggestion of a policy which looked only to immediate benefits. It seemed to imply a fear of fairly and boldly looking our difficulties in the face. According to the old plan of the sinking fund, within six years a prospect was held out of some alleviation in the burdens of the people, whereas, in the proposed measure, this prospect was removed to a much greater distance. The prospect of alleviation at no very remote period was highly consolatory to the people, and he could not see the policy of a measure by which this prospect was clouded or rendered more remote. There was nothing which struck him as more admirable in the plan of his right honourable Friend who had lately presided over the finances of the country—a plan which, more than any other of the great acts of his administration, had laid the foundation of his fair fame—there was nothing more admirable in this plan than the prospect of an early alleviation which it held forth. The present measure was temporizing in its character, and did not possess advantages at all sufficient to counterbalance the inconveniencies which would necessarily result from it. The honourable Member illustrated these ideas at length, and concluded by expressing his opinion that the measure was a deception on the public, though he was far from wishing to

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insinuate that those who had brought it forward were not actuated by the most honourable motives.

The *Chancellor of the Exchequer* said, that whatever might be the difference of opinion between his honourable Friend and himself, on the subject now before the committee, there certainly was none in the House, with respect to the motive of his honourable friend; and whatever variety of opinion might be entertained in the committee on the subject itself, he was sure there was no difference of opinion on the point of bringing it fairly before the House; there certainly had been no attempt at any deception whatever; no endeavour had been made to draw a veil over the matter, but, on the contrary, every endeavour had been used to lay it before Parliament as clearly and distinctly as possible, that the real nature, and all the circumstances of the case might be made manifest. Indeed, he believed, there never was a case in which more pains were taken to cast light upon the subject to be discussed than the present. the very wishes of Gentlemen for information on it had been anticipated in every way they could do, and that with as much dispatch as the intricacy and importance of the subject would admit; he trusted, therefore, that those who brought forward this measure would now, at least, stand well with the House itself; and that they would be entitled to the credit of having pursued a course directly opposite to that of deception, in laying this business before the House. His honourable Friend had given a description of this measure which he should be sorry it deserved, that of being a temporary measure; whether that character was appropriate to it, was for the committee to determine; he would say, with confidence, that whatever might be thought of his Majesty's present Servants, the right honourable Gentleman, who was the author of the great measure, the original plan on which the present measure was founded, (Mr. Pitt) was not likely to agree to a measure that was temporary in such a case as this; he was no friend to any temporizing system of policy; all his plans were broad and permanent. He was convinced, that if this system had been of a temporizing nature, that right honourable Gentleman would have been the first to have lifted up his voice against it; instead of which he had already declared he did not consider it as inconsistent, in any degree, with his original system. If it had, in any degree, deserved the imputation cast upon it, if it tended to weaken the system of that right honourable Gentleman for the liquidation of the national

national debt, or had a bearing against that plan on which his fair fame was so well founded, and an inviolable adherence to which had so justly contributed to swell it to its present magnitude, he would have raised his voice against the measure; he would have called upon the House, with the affection of a parent, to protect his child, when he saw that not only its health, but even its existence was in danger; but that right honourable Gentleman had no such apprehension; on the contrary, he saw, and he had expressed it, that the present measure was perfectly consonant to the spirit of his system for the reduction of the national debt. His honourable Friend who had spoken last, had said, that the whole of the advantage of the present measure arose from the relief which it would afford to the public, by saving the imposition of taxes, in the present year, to the amount of 880,000*l*. He did not think his honourable Friend had examined the plan with his usual accuracy, for if he had, he would not have stated that as the only advantage of this measure. What was the effect of the plan, as appeared from papers laid before the House? That in a year when taxes to a larger amount than were ever before imposed in one session of Parliament, permanent taxes laid upon the people, there was a disposition on the part of the Executive Government to recommend a measure, the effect of which was to avoid an immediate burthen upon the people to the amount of near 900,000*l*. and yet, at the same time, very much accelerating the reduction of the national debt; and also to leave Parliament at liberty, in the year 1808, to apply 512,000*l*., the amount of the short annuities that would then fall in. It was also stated, that an additional consequence of that plan would be, to leave at the disposal of Parliament, in the event of paying off the five per cent. between 1,400,000*l*. and 1,500,000*l*. for the reduction of the national debt, or to relieve the people from taxes to that amount. Upon this point particular stress had been laid, and if, at that period, it should be the disposition of Parliament to relieve the people from the burden of taxes, they might apply the 512,000*l*. short annuities, and the 1,500,000*l*.; there would then be a relief to the people of 3,000,000*l*. and the relief of 900,000*l*. was, besides, immediate. But it was not for him to presume how Parliament would act in the exercise of its discretion in the year 1808. But such would be the state of things when the five and four per cents. were paid off, a period which could not be anticipated with precision; but it was reason-
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able to state it at this period. Such were the recommendations of the measure now before the committee; but was that the whole?—no such thing. His honourable Friend had said, that the term consolidation was a term of deception in this case, which was certainly not so. The difference between the present plan and that of the sinking fund established in the year 1786, and which was called the old sinking fund, was this, that in the year 1808, when a discretion was to be afforded to Parliament with respect to the measure of disposing of what was in the hands of the commissioners for the relief of the people in taking off taxes, it was proposed, instead of arresting the progress of this fund, it was to go on until the productive powers of compound interest, in conjunction with the other fund, it had worked the discharge of the whole debt; instead of resting at 1808, it was to continue its operation until the whole debt was discharged. What was the system of 1792?—By that measure it was provided that 1 per cent. should be raised of every loan that should thereafter be made, in proportion to the sum borrowed, and which was to operate till the debt, which it was calculated to redeem, should be discharged, and the surplus to be at the disposal of Parliament. The alteration now proposed was, that instead of this being at the disposal of Parliament, it be added to the sinking fund, and both to go on until the whole debt was redeemed. These were the alterations, and it appeared under the present plan. It appeared under the old plan, supposing the 3 per cents at par, and the 4 and 5 paid off; the old debt would be extinguished in forty-four years and four months, from February last. Supposing the 3 per cents at 75, the whole debt would be paid off in thirty-two years and ten months; that under the operation of the system of 1792, the debts incurred since that time would be discharged, supposing the 3 per cents at par, in forty-five years and seven months. Supposing the 3 per cents at 75, the whole of the new debt would be discharged in thirty-five years and three months. By the consolidated system now proposed, the whole of that debt would be extinguished in thirty-one years, that was to say, in four years less time than by the plan of 1792, and in three years less than the operation of the plan of 1786 would effectuate its purpose. Supposing the 3 per cents at 75, the effect of this consolidated plan would be to extinguish the whole of the existing debt in thirty-three years and seven months, that was to say, the debt existing previous to the plan of 1786.

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The period allowed by the act of 1792, for extinguishing the debt since, was forty-five years; and if Gentlemen would look at the papers before them, they would find the effect of the consolidated plan would be, supposing the 3 per cents at par, not only to extinguish near 498,000,000*l.* but also to provide for the extinction of near 40,000,000*l.* more; and, supposing the 3 per cents at 75, the effect of the consolidated plan would be, not only to pay off the whole of the present debt, but also to afford the means of paying off 44,000,000*l.* Now he would ask the committee, whether a measure, the effect of which was to afford immediate relief to the amount of 900,000*l.* and to afford relief, if Parliament should chuse to avail itself of the opportunity, in 1808, of bringing 512,000*l.* and the 1,500,000*l.* in the manner he had already stated, to the relief of the public in taxes, without retarding the progress of the system of 1786 or 1792? He would ask, he said, whether this was a plan which could be considered as a departure from the system of 1786 or that of 1792? What would be the effect of the act of 1786, in taking off the taxes? According to the mode stated by his hon.^d Friend, the earliest period under the act of 1786, at which it would be possible to apply any part of the money in the hands of the commissioners to take off taxes, would be 1808; and if the 3 per cents were at 92, 130,000*l.* would be the annual sum to be taken off in taxes. Now it was to be recollected by the committee, that by the present plan, at that period, the public will have had the benefit of avoiding the charge annually of 900,000*l.* and the interest of 4,200,000*l.* would be applicable, from year to year, for the reduction of the debt; and, to take off taxes in 1808, the sum of 512,000*l.* and the sum of 1,500,000*l.* that would fall in by the short annuities, would be applicable, as he had already stated. In 1808, under the old system, 120,000*l.* supposing the 3 per cents to be at par, would be annually paid in the course of twelve years; 12 times 120,000*l.* would be the amount of relief, afforded to the subject in taxes previous to the year 1820; the whole purchase of which would be about 8,000,000*l.* What would be the effect in the other case? The public, instead of being relieved 12 times 120,000*l.* would be relieved to the extent of 3,000,000*l.*; that is, they will have paid above 40,000,000*l.* less in taxes than they would have been liable to in the other case. He now came to the strong point of objection which was made to this plan, and which had been stated by his honourable Friend, and he

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was accurate as to time and sums; there would be an interval in which the quantity of unredeemed stock would be greater by the measure now proposed than it would be by the system now in force. Here he proceeded through the statement of the calculations, No. II. of the printed papers, stating how the unredeemed stock would stand at different periods; shewing, amongst other things, that supposing the 3 per cents at 75, and the 4 and 5 at par, &c. the difference in the mass of unredeemed stock, under the two plans, in the year 1825, will be 26,000,000. To this he had to propose this consideration, (without repeating others he had stated so often already) and to which he attached great importance, namely, the relief afforded in the interim, by not imposing the burden of 900,000*l.* taxes yearly, and the means afforded of giving relief by actually taking taxes off, which he had also stated already; but let the committee recollect, that the period when this difference would subsist would not be long, and, as the amount of the unredeemed stock was greater at that period, so, in a short time afterwards, the present plan would outstrip the other, and then its progress would be made with accelerated velocity towards the total extinction of the debt, so as to leave behind, at a vast distance, the plans of 1786 and of 1792. In saying this, and in taking the calculations upon the supposition of the 3 per cents being at 75, he hoped the committee would not suppose that he was taking the most favourable posture of our probable state of finance; he had certainly hopes of a much more favourable condition for them. He was fully aware, as his honourable Friend had stated, how difficult it was to make arguments intelligible on such a subject as this: he had only to recapitulate the substance of what he had stated already on the subject of this plan, the benefits of which were these, the immediate effect of affording relief to the amount of 900,000*l.* annually, by forbearing to lay on taxes to that amount. A further relief, in 1808, to the extent of 512,000*l.* by the short annuities which would then fall in, and a still further relief when the 5 and 4 per cents shall have been redeemed; and, in 1808, the plan of taking off taxes may commence, at the will of Parliament, but which he hoped would be continued to be carried to the reduction of the debt; and, finally, that the whole of the present national debt will have been paid off much sooner by this new plan than it would have been by the old ones, both of 1786 and 1792. He had not concealed from the committee the objections to which

which this plan was liable; he admitted them as far as they went; but he submitted to the committee, that they were much more than counterbalanced by the advantages of the measure. The effect of this plan was, that it would extinguish the national debt in a much shorter period than by the former plan, and it afforded relief for the payment of 900,000*l.* taxes. It afforded means also for supporting the finances of this country, in the event of its being engaged in war, either for the security of its possessions, or the maintenance of its honour. It was for these objects, that he submitted this plan for the approbation of the committee, for the immediate relief it would afford in sparing 900,000*l.* taxes, for the provision it made for the extinction of the whole debt, much sooner than by the former plans—not that he meant to say that this plan was of a different nature, or founded on different principles from those of 86 and 92, so far from being so, it was a measure growing out of these plans, and it tended to shew the wisdom in which they were founded; and these plans were not only capable of producing all the advantages he had mentioned, and which we all had witnessed within these eight or nine years in particular, but to these plans he imputed the security we had found for every thing that was dear to us, especially our constitution.

Mr. *Tierney* made many acknowledgments to the Chancellor of the Exchequer, for his readiness in communicating information upon this subject, and the candour which he had displayed in all the proceedings connected with it. A sense of duty, however, compelled him to oppose a measure, which, in his opinion, was ill-advised. Whatever political hostility there might have been between him and the late Minister, he had at all times admired and praised the wisdom and perseverance he shewed in his plans to reduce the national debt. That perseverance he thought well worthy of imitation; and, though the late Chancellor of the Exchequer had approved of this new scheme, he could not forget that that right honourable Gentleman had never brought it forward himself, although he might have done so with as much plausibility as his successor. This certainly was breaking in upon the system established in 1792, which redounded so much to the fair fame of its author. He entreated his Majesty's present Chancellor of the Exchequer to take care lest he laid the foundation for fame of a very different sort. Speeches would be forgotten, and it would only appear by the journals, that as soon as the right honourable Gentleman came into

office, he changed a system allowed on all hands to be so beneficial. He allowed that Parliament had a complete controul over the old sinking fund, and if any wise change in its management were proposed, it would meet with his cordial support. The old sinking fund was a *bonus* given to the stockholder without any consideration. This proposed change, though possibly expedient, was a melancholy acknowledgment that our resources were materially impaired, and that taxes could no longer be found. There would be this inconsistency in the journals, that while one page recorded a vote of thanks to the late Minister, among many other things, for having preserved and raised the credit of the country, the next would declare that the system of finance thus extolled was necessarily abandoned, and that Government was obliged to resort to new expedients. By not paying in the 900,000l. to the commissioners, the act of 1792 was evidently infringed. That required that no money should be borrowed without provision being made for the extinction of the debt within forty-five years. To talk of this being a provision was trifling. Nearly 200 million more might be borrowed, and said to be provided for in the same way. For many years no progress would have been made in the redemption whatever; and the period when the system would begin to operate was so remote, that no confidence could be placed in its effects. Nothing but the pressure of circumstances could justify this bill; and if Gentlemen would defend it upon this ground, it should have his warmest support. He did not mean to say that the right honourable Gentleman meant to deceive the House, but the House certainly was deceived. For the sake of their children they might enter into these speculations, or rather as matter of mere curiosity. Few could be so sanguine as to hope to witness the effects of the sinking fund 30 or 40 years hence. But it was even quite impossible to say if posterity would abide by the plan now adopted. Might not some future Chancellor of the Exchequer come down and say, that since they did not feel the weight of the national debt, the sinking fund had better be applied to temporary purposes? This species of calculation was not like measuring the distance of the sun. There every mile was exactly like that which went before it. But it was quite impossible to foresee what would be the state of the country in a very few years. Events might happen every day to derange the best formed theories. He could compare the right honourable Gentleman to nothing but a school boy, calculating

ing how many barley corns it would require to surround the earth, or how long it would take a cannon ball to fly to the moon. Let the House consider the fate of the most bold and ingenious calculator that ever appeared. In 1798, the late Chancellor of the Exchequer, commencing his solid system of finance, maintained that it was quite unnecessary to provide one per cent. upon the loan, as in two, five, or, at the very utmost, ten years, the whole would be redeemed! Now there was not one trace of that solid system remaining; and the debt then incurred would continue to an indefinite period to burthen the people. When such a fine fabric had given way within three years, how could he expect that another, seemingly not more substantial, should last for forty-two years? A noble Lord had maintained, that immediately upon the arrival of peace, fifteen millions a year would be paid into the hands of the commissioners; but instead of ten millions more, they received 900,000*l.* less than the act of Parliament required. The circumstance of this plan, at one period, leaving forty millions more unredeemed, was of itself decisive. In case of a future war, our situation would not by any means be so advantageous. A worthy Alderman, and other loan contractors, had often expressed the satisfaction they felt on contemplating the sinking fund. Would they say so now? For the paltry sum of 8 or 900,000*l.* it was not worth while to be guilty of this breach of faith. Besides, a specific fund was already provided for, as the right honourable Gentleman had taken credit for nearly a million more than he would want. He would willingly incur all the unpopularity of laying this additional burthen on the people. He had thought very deeply upon the subject, and he was more and more convinced that the plan was either absurd, or that it did not go far enough. Great difficulties alone could justify it, and if our difficulties were so great, more vigorous measures should have been resorted to. In the midst of the numerous and almost intolerable imposts to which we were subject, it was formerly some consolation that we could look forward with some degree of confidence to a period when they would be lessened. Now the prospect was dark and dreary, and we were deprived of hops, the last refuge of the wretched.

The *Chancellor of the Exchequer* said, the honourable Gentleman (*Mr. Tierney*) had bottomed his argument on the supposition that he (the Chancellor of the Exchequer) had been driven to this measure by imperious necessity; but he dis-

claimed any such motive, and he referred to the state of public credit at the present moment, to prove the absence of any such necessity. The honourable Gentleman had asked, what advantages they were to expect from future contracts for loans, if this measure was carried into effect? He looked forward to the future with the utmost confidence, a confidence founded upon experience: let them only look at the late loan, which was the subject of exultation to the country; he had stated the present measure to the contractors at the time of the contract, whose minds might be considered as made up to the benefits resulting from the sinking fund, as it stood at present, and therefore adverse to any alteration, particularly when that change was entirely new to them; yet notwithstanding this, the terms of that loan were more beneficial than those of any loan contracted under circumstances more advantageous, and formed a subject for the satisfaction and exultation of the country: he therefore looked with the utmost confidence to the future, founded upon the experience of the past. The honourable Gentleman had said, they had to look forward through a long dreary vista of forty years. He was glad that the honourable Gentleman had founded this observation, as he must found it, on the supposition that stocks would be at par during that period, as it must be perceived that, in proportion as the stocks fell below par, so in proportion the honourable Gentleman's arguments must be weakened. He would only observe, that the country would be immediately relieved from 900,000*l.* or at least they must have been charged, and must be still, if this measure was not carried into effect, with an additional sum of 870,000*l.* In 1808, six years hence, there would be a relief of 512,000*l.* more, whilst in that year, or the next, there would be a further relief of 1,500,000*l.* by paying off the 4 and 5 per cents. Has this any thing that ought to appall a mind so resolute as that of the honourable Gentleman? The very idea of comparing the effects of the two plans he revolted at, as this was only to ensure the efficacy of the old plan; but he would observe, that there would arise from this plan a relief of 1,500,000*l.* in the year 1808, whilst from the old plan the first commencement of relief at that period would be only 120,000*l.* He had already said, that he hoped the sums thus obtained would not be applied to the relief of the country: he hoped that the state of the country would be such, that those sums might be applied to the increase of the sinking fund. He looked forward to the wisdom and

and fortitude of Parliament for measures by which the sinking fund would be reinforced, so as to obviate, or at least to diminish the force of the argument as to the quantity of unredeemed debt, at one period more than another. Let it not be supposed that the sinking fund could not be strengthened by fresh reinforcements. He asked this measure of Parliament at a time, when, so far from sinking under burdens, those burdens were such at the present moment as not to create the least uneasiness. He had been compelled to propose a larger amount of permanent taxes than had ever been proposed in any preceding session of Parliament, notwithstanding which, he had been enabled to propose a measure which relieved him from the necessity of adding one-tenth to the public burdens. He had the greatest confidence in the future resources of the country, which he conceived this measure peculiarly calculated to increase.

Mr. *Tierney* observed, that the 512,000*l.* which would fall in, in 1808, and the 1,500,000*l.* arising from the reduction of the 4 and 5 per cents. would have been equally available under the old plan; the only sum which directly arose from the present plan was the sum of 870,000*l.* The right honourable Gentleman (the Chancellor of the Exchequer) had spoken of increasing the sinking fund hereafter; how this was to be done he did not know: if the right honourable Gentleman conceived that it might be done by means of the surplus produce of taxes, he thought the right honourable Gentleman was rather too sanguine in his expectations.

The *Chancellor of the Exchequer* said, he was certainly sanguine enough to expect that the sinking fund might hereafter be increased by means of the surplus produce of taxes.

Mr. *Thornton* said, that to depart from the ancient system, for the purpose of adopting the present measure, might perhaps tend to weaken public credit, but certainly was in no degree a violation of public faith. His objection to the present measure was rather of a political than of a financial nature. It seemed to him that we were only postponing our difficulties, and though we were only in a small degree postponing those difficulties, yet it seemed to him that we were postponing them to a period within which a war might probably arrive. His idea was, that they should provide for those difficulties within the shortest period, in order that no new difficulty might arise in case a war should occur within a period not very distant. It seemed to him that the new system was less advantageous than the old in that very period within

within which a war was most likely to arise. If, however, as it appeared, there was a disposition on the part of the House to reinforce the sinking fund, much of his objection was done away, and he was extremely glad to hear something to that effect from the right honourable Gentleman (the Chancellor of the Exchequer). At the same time, the idea of pledging very distant posterity and relieving ourselves, was an idea very different to that which had been hitherto acted upon. He would rather see rapid advances made in the course of a few years hence, than a pledge given for futurity. He thought a large sinking fund should be provided for, in the same manner as a standing army and navy.

Mr. Boyd said, that much of what he meant to have submitted to the committee, in reply to the observations of an honourable Gentleman opposite to him (Mr. Tierney), had been so ably anticipated by what had fallen from the right honourable Gentleman on the floor (the Chancellor of the Exchequer) that he should not have occasion to trouble the committee long on that part of the subject. One of the honourable Gentleman's observations related to the effect upon the minds of monied men, which the proposed consolidation of the sinking fund was calculated to produce. The recent instance which had been stated by the right honourable Gentleman, namely, the negotiation of the late loan, had indeed furnished a most striking example of that effect. Not only was the whole of the intended change in the sinking fund fairly disclosed to the contractors before they concluded the bargain, but an unprecedented circumstance in the financial history of the country was introduced into the conditions, namely, the creation of a deferred stock. Notwithstanding all these circumstances, the consequence however was, that the loan was taken on terms the most advantageous for the public that perhaps ever were obtained. Government, foreseeing the release of certain funds by the expiration of annuities in 1808, bargained for part of the loan's bearing interest only from that period, when revenues, now otherwise engaged, would be set free. This new species of stock was taken at a price in fair proportion with that of the other stock. A great part of what an honourable Gentleman (Mr. Tierney), had said against the present measure, turned upon the distant period in which much of the proposed plan would operate. He had never till now heard that the credit of the country, or the faith of Parliament, was to be estimated by periods of time. He had never understood, that there existed
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in this country such a spirit as led to occasion any difference in point of confidence, where the faith of Parliament was pledged, whether it was confined to four years or forty years; and the whole financial transactions of the country warranted the assertion. Had not many large sums been borrowed on long annuities of 70 and 60 years? And had they ever been under estimated because of their long duration? No, Sir, the public credit of the country has always found, and always will find its level, whatever the period of time may be in which that credit may have to operate. There never was any difference of consequence between money now and money at a distant period, beyond that which fairly arises from the interest for the interval. An honourable Gentleman (Mr. Banks) has alluded to something like deception having arisen from the terms, "consolidated sinking fund." The honourable Gentleman's own mind is much too enlightened to suppose, for a moment, that he can ever have been exposed to such deception. If there have been minds so superficial and light as to think, that, by the mere consolidation of the two sinking funds, without any additional pecuniary powers, any accession of strength was to be added, surely a mind such as that of the honourable Gentleman could not be one of them. Indeed, it is hardly to be supposed that any man could be the dupe of such deception, or that two separate sums of 200l. could perform either more or less than one sum of 400l. Not only no such deception has been practised; but none certainly was every intended to be practised by those who brought forward the measure. The plan wanted no such shallow artifice to support it. It stands upon too solid and broad a basis to require such assistance. Much has been said by an honourable Gentleman (Mr. Tierney) about the present measure being calculated to throw upon posterity burthens which the present age should bear. This is not a correct state of the case: it does not go to throw upon posterity burthens which the present day does not bear, it merely puts posterity upon the same footing with the present day. Not one single shilling will be borne by posterity which the present day does not bear. Instead of burthening the present age with an annual sum of 860,000l. in order that in eight or ten or twenty years hence posterity may be relieved of other burthens, it is the object of this bill to lay the same burthens equally on both, until the whole debt be discharged. The question which the committee has to decide upon is, whether the bill now on the table does all that

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it proposes to do? Does this bill really alleviate the present burthens of the people, and at the same time accelerate the redemption of the public debt? Having considered the subject, said Mr. Boyd, with great attention, and with all imaginable impartiality, I can from the bottom of my heart, and the fullest approbation of my judgment, declare that it does. Mr. Boyd then proceeded to examine the printed calculations which were in the hands of Gentlemen. He selected the one which states the progress of the sinking funds in the reduction of the debt, on the supposition of stocks being all at par. By this calculation, which was peculiarly plain and simple, and came more home to every Gentleman's comprehension than more abstruse and elaborate calculations could do, it appeared that the debt would be paid off by the consolidated sinking fund in 1845; but Gentlemen would find, upon revising the calculations, that there had slipped in an error, doubtless altogether by a casual inadvertency, of 100,000*l.* In the application of the fund in 1809 (stated 6,915,550*l.* instead of 7,015,550*l.*) by which means the period of redemption, which is stated to take place in 1845, ought to have been stated as more than effected in 1844. This error of 100,000*l.* being necessarily repeated in every succeeding year, amounts at the end of forty-five years (which is the period to which the attention of the committee is called on this occasion) to 7,282,720*l.*; and therefore it will be found, if the application of the fund be carried on to the end of 45 years, that the consolidated sinking fund would redeem 78,862,044*l.* more than the present sinking fund, even with the one per cent. upon the sums last funded. Gentlemen may satisfy themselves upon the accuracy of this statement, by trying the progress of the fund which is improved, upon this hypothesis, at the rate of 330,509*l.* per cent. compound interest, or about 3*l.* 6*s.* per cent. Thus then it appears, that there is an actual addition to the sinking fund of 78,862,044*l.* which, for a period of forty-five years, and at the same rate of 330,509*l.* is equal to an annual sum of 785,355*l.* Instead, therefore, of having neglected to provide one per cent. on the 86,365,700*l.* last funded, it is evident that there has been provided a sum nearly equal to two per cent. "Gentlemen may indulge in melancholy apprehensions and desponding pictures; but in all this, I, for my part, said Mr. Boyd, can discover nothing but sources of sincere and heart-felt satisfaction." But an honourable Gentleman (Mr. Tierney) sees nothing but a dreary prospect of increasing distress in this conso-

consolidation of the sinking funds. It may not be amiss to consider how the country would stand ten years hence, should it then be again visited by the horrors of war. How would the account stand then? Why, Sir, the sinking fund, which is now 5,587,396*l.* about 1-87th part of the debt, would then (still upon the most unfavourable of all suppositions to the sinking fund, namely, all stocks at par) be augmented to 7,698,175*l.* 1-55th part of the debt which would then be existing, viz. 424,019,173*l.* Thus there would be 64,968,483*l.* of our debts paid off, with a sinking fund, which, in forty-five years from thence, would, at the same rate of interest, redeem the whole debt, and 275,980,827*l.* more. Is this a disheartening prospect? Does this warrant gloomy forebodings, and all those melancholy apprehensions in which the honourable Gentleman (Mr. Tierney) has so liberally indulged? I know not, said Mr. Boyd, how some minds may be constituted, but, for myself, I see nothing in the measure before the committee but matter of great and just satisfaction. It has been stated, that public credit must have received great injury by the want of the one per cent. on the eighty-six millions last funded. The honourable Gentleman will readily acknowledge, that if that be the case, it will not be stating that injury too high, if it be supposed (merely by way of illustration, and not as matter of opinion, that the case is so), that the want of the one per cent. on the eighty-six millions may produce a fall from par to 92 4-13, which is the next link in the scale of calculations. If this were to be the case, the consequence would, however, be a saving of twenty-seven millions in the course of forty-five years. This is mentioned merely to shew, that there may be cases where a greater sinking fund does not necessarily produce a proportionally greater purchase of stock. Mr. Boyd did not mean to say that Ministers had it in contemplation to keep down the price of stock. He thought, on the contrary, that every principle of justice and honour required that nothing should be done by them to produce such an effect; at the same time, when Ministers went to sell annuities, which was precisely what they did when they went to borrow money, this House and the country certainly did expect that they were to make the best possible bargain for the country, and omit nothing within the pale of strict honour in order to obtain their end. If, therefore, they had even had it in contemplation to keep down the price of stocks from rising too rapidly upon them when they became buyers as commission-

ers of the sinking fund, provided no breach of public faith was committed, nor any dishonourable or improper method used to produce the effect, they certainly would be justified for so doing by every principle, and even the nicest feeling of the most scrupulous honour. But no such idea is even supposed to have existed; only if so much injury has arisen from the want of the one per cent. as the honourable Gentleman states, it is at least agreeable to know that it has likewise its advantages, over and above the convenience of avoiding a heavy tax. Mr. Boyd said, there were many other points into which he might go; but he should not trouble the committee further than to say, that the measure had his most hearty and decided approbation. He had admired it the first moment he heard of it—every subsequent consideration had only increased his approbation. The burthens of the country for the public funded debt amount to 23,307,633*l.*; but of that sum 5,587,397*l.* consists of the sinking fund. This is a case altogether unexampled, not only in the annals of this country, but of the world. Not only are all the positive indispensable engagements punctually provided for, but the country voluntarily charges itself with one-third more, in order to discharge the capital of its debt.

Mr. *N. Vansittart* observed upon the advantages that would be derived from the present measure. There was one point, he observed, that might be liable to objection, as to the large sum which would eventually be placed in the hands of the commissioners for the reduction of the national debt, and thrown upon the market; but if this produced any evils, it must be left to future Parliaments to apply the remedy; at present they must not omit to apply that remedy which was in their hands to an existing evil.

Mr. Banks, Mr. Vansittart, and Mr. Tierney, severally explained, after which the resolutions were agreed to, and the House being resumed, the report was ordered to be received on Wednesday next.

The *Attorney General* obtained leave to bring in a bill for the trial and punishment of persons holding public employments in India.

Mr. *Leigh* moved the second reading of the Irish election bill.

Mr. *Foster* wished the honourable Gentleman would postpone the motion, as there were several Gentlemen who wished to deliver their sentiments upon that bill, and who were not then present.

Mr.

Mr. *Leigh* said the session was very far advanced, and he had given notice to every Gentleman who had spoken to him upon the subject, that it was his intention to move the second reading of the bill that day; he should, therefore, persist in his motion.

The House divided:—Ayes (for the second reading), 35; Noes (against it), 7;—Majority 28.

The order of the day being read for taking into consideration the report of the police bill,

Lord *William Russell* proposed a clause, which he said was copied from the act by which Judges were to hold their places *quamdiu se bene gesserint*; the object of this clause was, that Justices of the Peace should hold their situations during their good behaviour.

Mr. *Burton* and the *Attorney General* opposed the clause, contending that there was no analogy between Judges and Justices of the Peace, and that this clause, while it materially trenchd upon the prerogative of the Crown, would be productive of the most serious inconveniencies to the subject.

The question was then put on the clause, which was negatived without a division. The bill was then ordered to be read a third time on Wednesday.

Mr. *Wilberforce* put off his motion on the slave trade, on account of the lateness of the hour and the thinness of the attendance. He did not say any thing positively of the mode in which he should proceed with the motion on a future occasion. He should take the interval till Wednesday to consider whether it would be possible to prepare such a proposition during the present session as would be likely to be adopted by the House, and meet the object he had in view.

The West India dock bill was reported, and the report ordered to be taken into consideration on Wednesday.

On the motion of the *Chancellor of the Exchequer*, the committee on the clergy residence bill was postponed till Wednesday. The right honourable Gentleman expressed a hope that nothing would occur to prevent the business from being brought on, on that day.

The resolutions of the committee on the rates of foreign postage were brought up, read, agreed to, and a bill ordered accordingly.

Mr. *Alexander* brought up the report of the committee of supply, on Dr. Jenner's petition.

The *Chancellor of the Exchequer* rose to state to the House that, as he understood that several Gentlemen wished the re-

port to be considered on a future day, he would move, that it be considered on Wednesday. He wished that, in making this motion, it might not be supposed that he was inclined to relax from that opinion which a sense of duty compelled him to give in the committee. There was a wish that the fees should be voted to the learned and ingenious author; and it was on this ground that he had brought forward the motion.

The motion was then put from the Chair, and agreed to.

The bill for increasing the number of hackney-coaches was introduced, read a first time, and ordered for the second reading on Wednesday.

The bill for the better regulation of the mode of making up the public accounts passed through a committee. Report on Wednesday.

The report on the coroner's bill was postponed till the same day.

The *Chancellor of the Exchequer* gave notice, that he would the next day se'nnight bring forward the remainder of the wars and means of the year.

Mr. *Corry* gave notice, that he would on the same day make the same statement for the service of Ireland.

Adjourned till Wednesday.

HOUSE OF LORDS.

WEDNESDAY, JUNE 9.

Counsel were heard in continuation relative to the appeal, Northland and Johnston against Cadell.

After which their Lordships deferred the further hearing till the next day.

Their Lordships proceeded to give judgment relative to the appeal Holiday against Agnes Maxwell, which, on the motion of the Lord Chancellor, who stated his opinion of the case, for the further elucidation of the subject, was, that the decree of the court of session be affirmed.

The militia augmentation bill stood for a third reading; on the question being put,

The Earl of *Suffolk* stated his opinion, that one clause in the bill was particularly objectionable, namely, that which provided that the militia should be assembled for twenty-one days in each year, for the purpose of drilling, &c. As a military man, he must be aware that this space of time was infinitely too short. He did not then mean to make any motion on the subject; as in such an advanced stage of the bill, it might

might be unfair; but he pressed the point on the consideration of Ministers, who, in their bill of next session, he hoped would rectify the error. In a military point of view, and he knew not in what other the militia could be assembled, twenty-one days would be productive of no advantage: twenty-eight should be the very lowest, indeed thirty-eight days would be little enough. He threw out this hint merely that Ministers might profit of it on a future opportunity.

The bill was then read a third time, and passed.

Lord Auckland made a few observations upon a bill, which was an estate bill, in which the bishop of St. David's was concerned. He declared that his personal wishes were with the bill, but assigned some reasons why the bill, which in one point of view, he considered as important, should not be proceeded with at such a late period of the sessions.

All the bills on the table severally passed through their respective stages.

COUNTY BRIDGE BILL.

Upon the question that the county bridge bill be now committed,

The Earl of *Suffolk* rose, and said, he found the bill, upon examination, to be of a more general nature than he expected it to be. Thus he would offer a few observations upon it, not from the suggestions of his own mind, as objections which he felt upon it, but founded altogether on the arguments stated in defence of the bill by an advocate for it, in a printed paper which he held in his hand. His Lordship went through these arguments one by one, and endeavoured to shew that they were better calculated, when rightly considered, to establish the absurdity and inexpediency of the bill, than to support it on either the ground of its wisdom or its justice. He particularly objected to the powers given by the bill to the county surveyor, and the allowance granted to men of the first distinction to erect bridges for their own pleasure and convenience, the expence of repairing and maintaining of which fell upon the county ever afterwards. Instead of a county surveyor having such extraordinary power, it ought to be in the hands of a jury. With respect to persons of the first distinction in the county having any such power as the printed paper intimated would be granted to them, he reprobated it in the strongest terms, and said it was an invidious distinction in favour of the rich, in contradistinction to the poor, the great and powerful in preference to

to the low and humble. He reminded their Lordships that the rich could protect themselves, but the poor had no protection but the law, and therefore their only protection ought to remain sacred to them. His Lordship read a letter from Newcastle-under-Lyme, a principal manufacturing town in Staffordshire, the very county from which the bill proceeded, complaining against the bill; and another signed by six magistrates of great respectability in Lancashire, strongly remonstrating against it. His Lordship concluded with an earnest wish, that the House would not proceed with the bill further in the present session, but would allow the other counties of England, besides the two he had read letters from, time to consider it, and judge for themselves as to its probable effect.

The Lord Chancellor left the woofack, and complained of the negligence which had too generally prevailed of bills of an interesting nature being sent up from the Commons to that House, and proceeded through the regular stages, without any one noble Lord, a friend of the bill, rising upon the second reading, to explain to the House the grounds and object of the bill, and state the degree of necessity that called for it. He said, this had only been done in a single instance in the course of the present session. With regard to the present bill, he was no particular friend to it, nor had it engaged his attention till the noble Earl's observations had awakened it. All he knew respecting it, he had collected from reading it while the noble Earl was delivering his speech; and he was persuaded that, if any noble Lord who was a friend to the bill, had opened and explained it in the manner he had just alluded to, the noble Earl would himself have been convinced that most of his objections were founded in misconception of the purport and meaning of the several clauses, which at least contained nothing that rendered them unfit to be submitted to the consideration of the committee. His Lordship reasoned upon the clauses, and shewed that the powers vested by the bill in the county surveyor were friendly and protective of the county, and consequently of the poor in common with the rich. That as the law stood, if any individual chose to throw a bridge over a stream or river, to gratify his fancy as an object from his mansion, or to serve his personal convenience, and the public thought proper to take advantage of its accommodation, and use it either by walking, or driving carriages over it, let it be ever so lightly or imperfectly constructed, and liable to fall to decay or out
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of repair, in a very few years, the expence of repairing it must fall on the county. By the clause in the present bill, no bridge could be erected, and be afterwards liable to be repaired at the expence of the county, unless it was pronounced by the county surveyor when built, to be constructed in a durable, scientific, and workmanlike manner. His Lordship defended such other clauses as were upon the face of them, not only unobjectionable, but useful, upon a lawyer's view of them, and also assigned his reasons for thinking that the first enacting clause, the policy of which he was not so fully master of, was such as ought to go to a committee. He spoke of the obvious necessity of giving the justices a power to alter the situation of many bridges, particularly in the North of England, which had, in their original construction, been calculated merely for a packhorses, or animals of less size, loaded with coals and other articles, and were too narrow for the passage of carts and waggons, and other large vehicles of modern usage and conveyance. It was, he said, necessary to give the magistrates power to oblige those carriers, drivers, and others, who by wilful negligence damaged the bridges, to be at the expence of repairing them, and to save the counties from having the charge thrown upon them. He therefore thought the bill ought to go to a committee.

The Earl of *Carlisle* said, the noble and learned Lord had made it unnecessary for him to go into much argument in defence of the bill, and he really saw not in what earlier stage or progress of the bill, any noble Lord, who was a friend to the bill, could have spoken in explanation of it, to more advantage than at present. He would confine himself to a single point; it was the noble Earl's observation, towards the close of his speech, in which he had laid so much stress upon the powers given to persons of the first distinction in any county, to erect bridges; in the first place, it was no objection, surely, to any bill that its advocates hit upon an absurd argument in its support; and in the next, he must observe, that there were no such words in the bill itself. Those words were certainly to be found in the printed paper which had been circulated; but it was in the power of any noble Lord, who had rather give the power to a jury, in preference to a county surveyor, to move such amendments, or any other, in the committee.

Lord *Holland* thanked the noble and learned Lord on the woolsack, for the rebuke he had given to the practice of sending

sending up bills to that House from the Commons, and no noble Lord rising to explain the necessity of passing them. He thought the House unfairly dealt with in the *onus* being cast upon them, of finding out objections. He defended his noble Friend (the Earl of Suffolk) for having argued from a printed paper put into all their hands in favour, and said it certainly was irregular, and not quite decent that such a mode of recommendations of any bill should be adopted, since all that could be said for or against any bill ought to be said within those walls; but still such a measure having been resorted to in this instance, it was natural for his noble Friend, as no noble Lord had thought proper to explain the necessity of the bill to the House, to found his observations on the printed paper put into all their hands. His Lordship concluded with declaring that he concurred with the noble and learned Lord, in thinking that the bill ought to go to a committee.

The Earl of Carlisle and Lord Holland spoke severally in explanation.

The Duke of Norfolk spoke shortly in support of some points which fell from his noble Friend, the Earl of Suffolk, and observed, that an attempt had in two or three former sessions been made, to carry a bill nearly similar with that in question, through the Commons, but without success.

The Earl of Suffolk spoke in explanation, in the course of which he observed, that the sentiments of individuals in some other counties were known to be adverse to the measure, and that they intended to come forward and avow their disapprobation. He therefore felt it incumbent on him to take the sense of the House upon the subject.

The House then divided on the question, That this House do now resolve itself into a committee of the whole House on this bill.

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The bill is therefore lost.

Some private business was then disposed of, and after a few words between the Duke of Norfolk, the Lord Chancellor, and Lord Wallingham, the consideration of the claim respecting the Chandos peerage was postponed from Monday till the following Wednesday. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 9:

Mr. *Corry* moved for several accounts of arrears and balances in the hands of the different officers in Ireland, which were ordered.

Mr. *Robson* said a few words relative to an account of the expenditure of Ireland, which had been ordered, but not laid before the House, but being called to order by the Speaker, he sat down.

Lord *Glenbervie* brought up a bill to repeal several acts respecting merchandize on board neutral ships, and to make other provisions in lieu thereof, which was read a first time, and ordered to be read a second time the next day.

The further consideration of the report of the bill for better regulating the trial of controverted elections was postponed till the next day.

Mr. *Eliot* presented the estimates of the ordinary and extraordinary of the navy, which were ordered to lie on the table. He gave notice of his intention to move them in the committee of supply on Friday.

Mr. *N. Vanflitart* moved for an account of the amount of exchequer bills issued under the authority of the last act for that purpose, and an account of the number of cargoes of fish brought to Billingsgate market during the years ending the 5th of January 1799, 1800, 1801, and 1802, which were severally ordered. The latter was shortly afterwards presented by Mr. *Welsted*, from the Custom-house, and ordered to lie on the table, and to be printed,

A message from the Lords informed the House, that their Lordships had agreed to the English militia bill, with several amendments, to which they desired the concurrence of the House.

The *Secretary at War* moved, that the Lords' amendments should be taken into consideration on Friday. Ordered.

The committee on the miners' bill was deferred till Friday.

The volunteer corps bill was ordered to be read a third time the next day.

Mr. *Tierney* gave notice of his intention to move his usual financial resolutions on Wednesday.

IRISH ACCOUNTS.

Mr. *Foster* rose to call the attention of the House to the circumstance of several accounts respecting Ireland having been ordered and not yet presented, amongst others were the account of treasury bills, and the account of exports and imports. If the right honourable Gentleman (Mr. *Corry*) would say that they were in readiness or would be presented before Friday, he should not make any motion; but if not, he should move that immediate returns be made to the orders of the House.

Mr. *Corry* said, that no one could be more anxious than he was that correct and prompt returns should be made by the officers in Ireland to the orders of that House. If there was any neglect on the part of the officers, he was far from wishing to screen them, and, therefore, if the right honourable Gentleman would submit any motion to the House upon the subject he would second it, though he had no doubt but that the officers would assign good reasons for any delay that had taken place. He begged, for himself, to state, that attending, as was his duty in Parliament, he could not, in candour or in justice, be held responsible for delays which might take place in Ireland. The officers in Ireland had been, since the union, very much deranged; they had been put out of their usual forms and practice, and he hoped the House would take that subject into their consideration, when those officers were charged with neglect and delay. What had occasioned the delay in the present instance he did not pretend to state—he should leave it to them to state the reasons themselves; but he trusted he should not be held to be responsible for acts over which, as he had before stated, he had no controul. Some of the officers by whom these returns were to be made, were independent of the office to which he had the honour to belong. One instance then occurred to him, of a mistake in the appendix to an account, though the account itself was, he should contend, substantially correct; the officer by whom that return was made was independent of the treasury of Ireland, and therefore he wished the House always to bear in mind that the system of officers was not the same in Ireland as it was in this country.

Mr. *Foster* replied, that he had brought no charge against the right honourable Gentleman. He had accused the officers of negligence, and as the right honourable Gentleman had said

said nothing to clear them from the imputation, he begged that the motion might be put.

Mr. *Curry* seconded the motion. He thought it right, however, to inform the right honourable Gentleman, that there was an officer at the door with a variety of accounts, among which some of those which he had enumerated might be found.

Mr. *Foster* said he would wait till the officer had presented those accounts.

Mr. *Wickham* said he had returned some of the accounts to Ireland in consequence of their being erroneous.

Mr. *Crofton*, from the treasury of Ireland, was then called in, and presented an account of the salary and emoluments of the Lord High Chancellor of Ireland, an account of treasury bills, and an account of the charge of yeomanry corps, together with other accounts, which were ordered to lie on the table, except that relative to the salary and emoluments of the Lord High Chancellor of Ireland, which was ordered to be referred to the committee appointed to consider of augmenting the same.

Mr. *Foster* then said, as he found the accounts that had just been presented did not include all those which he had before alluded to, he should move what he before intended, "That the proper officers should be called upon to make immediate returns to the orders of the House, respecting those accounts which had not yet been presented."

Mr. *Curry* seconded the motion; but observed, that he wished to be understood, as not concurring in any charge of neglect against the officers.

The motion was agreed to.

Mr. *Foster* then called the attention of the House to an order for an account specifying the authority under which the sum of 334,000*l.* had been raised and paid into the Irish treasury, how it had been raised, and how applied. To this order a return had been made, referring for the authority to the 25th section of the 41st George III. Upon referring to this, however, it would be found, that no more than two millions was authorised to be raised for the service of Great Britain and Ireland, the whole of which had been applied to the service of Great Britain; this, therefore, could give no authority for raising an additional 300,000*l.* for the service of Ireland. With respect to the manner in which it had been raised, the return referred to an aid for the service of Ireland, which never existed, and as to the application of it, not a

syllable was said. He therefore moved, "That the proper officer should be called upon to make a further return to the order of the 10th of May, relative to the above account."

Mr. *Corry* said he was really concerned and ashamed of this puny warfare of accounts relating to Ireland. The right honourable Gentleman knew, as well as any body, that no further return could be made. The right honourable Gentleman knew, (if he knew any thing about the matter) that the money that was raised for covering that part of the vote of credit which was to be expended in Ireland, was raised with the other supplies of the year; there were many services to be provided for, and they all went together to form one consolidated fund. The right honourable Gentleman could not pretend ignorance of that fact, and therefore he must be aware that no further return could be made to this order. He would take no advantage of the right honourable Gentleman not giving any notice of these motions, though they were usually given in such cases; he wished merely to state, that as far as he could judge upon this subject, the return to this order could not be amended, and therefore he should oppose the right honourable Gentleman's motion.

Mr. *Foster* said this was by no means a puny war of accounts, but a subject of great importance. Parliament should take care that no Minister raised money contrary to the Constitution. The bill respecting the vote of credit had applied it to certain specific purposes, but the officer who made the return had referred to that bill as the authority for raising a sum which could not be included in it. The subject was of importance to this country, as each part of the united empire must pay its proportion of the sum thus raised.

The House then divided, for the motion 21, against it 62.

Sir *W. Scott*, after lamenting the slow progress of his bill for enforcing the residence of the clergy, said he had given it his best attention, and devoted as much time to it as his other duties would permit. He was anxious to learn the opinions of others; and it gave him great pleasure to think that the bill was now much superior to that formed according to his own crude conceptions. However, from the lateness of the session and the importunity of public business, it was, he feared, impossible for it to receive that maturity of discussion which its importance required. He would be the last man to wish to hurry it through the House, or to support any measure which would not stand the test of fair and deliberate enquiry. He, therefore, in discharge of his duty, gave

gave notice that he should not press the bill this session of Parliament, in the hope that it would be revived at an early period of the next, that it would then be adopted, and that it would operate greatly to the advantage of the clergy and of the public.

Mr. Foster once more rising,

The *Chancellor of the Exchequer* said he understood the right honourable Gentleman was on his legs with the intention of calling the attention of the House to the advertisement issued from the adjutant-general's office in Dublin. Government had received some information upon the subject, but not enough to place it in its proper light. He therefore wished the right honourable Gentleman would consent to a short delay.

Mr. Foster acquiesced, and Monday was fixed upon.

Mr. *Dickenson* gave notice, that it was his intention, the next day, to move for leave to bring in a bill to continue the act protecting the clergy from prosecutions for non-residence under the statute of Henry VIII.

SUPPLY.

The House then went into a committee of supply, to which the different estimates had been referred.

Mr. *Eliot*, after a short preface, moved, that 70,000 seamen be employed in his Majesty's service for seven lunar months from the 18th of June, including 14,000 marines.

Mr. *Turney* expressed a wish to know what was meant to be the permanent peace establishment?

The *Chancellor of the Exchequer* replied, that from the great number of ships now employed in foreign service, it was impossible this year to make a greater reduction. If there were none of these extraordinary calls for the presence of a naval force in distant quarters, he should think that 30,000 men would be the limit. He did not pledge himself on a future year not to ask for more. The nature of our establishment must be determined by circumstances. Such, however, was his opinion of the circumstances we should probably be in by another year, that he thought 30,000 seamen would be an adequate number.

Mr. *Turney* asked, if he was to understand that this was the lowest possible number, if things squared with the right honourable Gentleman's wishes and hopes?

The *Chancellor of the Exchequer* answered in the affirmative.

There

There were then voted,

For wages during the same period	-	£. 906,500
For victuals	-	931,000
For wear and tear of the ships	-	1,470,000
For ordnance for the sea service	-	122,500

ARMY.

The *Secretary at War* then rose, and said he should endeavour to state the army services for the remainder of the year, as shortly as possible, and the difference between the proposed establishment and the war establishment, as voted from the 25th of December to the 24th of March the comparative number of men and expence would stand thus:

Guards, Garrisons, and Plantations.

	Men.	Expence.		
		£.	s.	d.
War establishment	161,364	5,432,000	0	0
Proposed establishment	95,793	3,104,000	0	0
Difference	65,571	2,328,000	0	0

General and Staff Officers.

War establishment	-	140,700	0	0
Proposed establishment	-	50,300	0	0
Difference	-	90,400	0	0

Militia and Fencible Infantry.

War establishment	-	103,925	2,941,800	0	0
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The whole expence under this head would be saved for the remainder of the year.

Offices	-	£. 117,350	0	0
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With respect to the War-office, the expence was, he said still very considerable, but the number of persons employed was no more than was absolutely necessary. There was a great arrears of business in that office, but he hoped the time would soon come when a reduction in the expence of that office might take place.

War Establishment.

Allowance to inn-keepers	-	£. 537,000
Proposed establishment	-	232,000

Difference	-	305,000
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He was, he said, led to believe, that a great reduction of this expence would take place in another year, when the troops became regularly stationed and distributed in barracks.

For

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SUPPLY.

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For the present it was proposed to continue the rate of allowance the same as it was in the preceding year, in consideration of the inn-keepers having suffered considerably during the last year from the high price of every article of subsistence.

War Establishment.

Half-pay	-	-	£.225,000
Proposed establishment	-	-	403,000

Excess	-	-	178,000
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The number of officers thrown upon half-pay must, he observed, necessarily be increased, in consequence of the number of regiments reduced.

War Establishment.

Volunteer corps, taking the proportion of the last

five months	-	-	£. 1,154,000
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Great part of this sum would now be saved, as it was intended to retain no corps who received pay, and to reduce the allowance to others.

War Establishment.

Barracks	-	-	£.940,000
Proposed establishment	-	-	740,000

Difference	-	-	200,000
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The sum proposed for the remainder of the year for this service was, he observed considerable; but the committee would perceive the important advantages which resulted to the army from this establishment.

He should now, he said, detail briefly the more minute particulars of the intended reduction. It was proposed to reduce

6 regiments of dragoons	5,093 men	£.262,334
17 additional battalions of old regiments of foot, and 4 young regiments to be disbanded	20,862 men	580,443

Several of these, however, he observed, could not be expected to be disbanded immediately. Until the troops now on foreign service returned from abroad, it would be necessary to preserve our garrisons here; several of the regiments proposed to be disbanded must therefore be kept on foot for some time longer. It was also intended to reduce the royal garrison battalion and six West India regiments. The invalids it was intended to reduce altogether, it being thought better to keep up a regular infantry, than a corps of invalids, although

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 although that body must certainly be considered as highly respectable and useful.

Number of invalids	-	7806 men	£.197,005
Foot guards, a reduction of		5475 men	156,335

He understood that the island of Jamaica would contribute to the payment of the troops stationed there for its defence, which would be a considerable saving to this country. He did not see any reason for stating particularly what regiments were to be stationed in Ireland, and what in Great Britain; it must be considered according to circumstances as to what force should be stationed in any part of the united empire. The cavalry, which it was proposed to have in service for the remainder of the year, were three regiments of horse guards, seven regiments of dragoon guards, and twenty regiments of dragoons. It was proposed that the establishment of each regiment should be eight troops of sixty men each, making a total to each regiment of 480. The foot guards would remain the same as at the last peace. The regiments of foot it was proposed to number from one to eighty-nine, the whole number of infantry kept up would be 48,051. The regiment of riflemen it was proposed to keep up. The royal waggon corps it was also proposed to keep up in a certain degree, as it was important to have people of that description in our service, in readiness at the commencement of a war, the number proposed to be kept up was 259. The staff corps it was also proposed should be kept up, as it chiefly consisted of artificers, and from which much advantage might be derived. With respect to general and staff-officers, the charge under this head was larger than usual, but the number employed was as few as possible. It was proposed to have only four Major Generals in Ireland, one in each province, which was as small a number as could be employed in that country. As to the foreign corps, it was proposed to retain only three regiments, with the exception of the regiment of Meuron in India, which it was understood would remain in the pay of the East India Company. Those proposed to be retained were those which, by capitulation at the island of Ceylon, were to be employed in the service of Great Britain for ten years; the regiment of Rohan, which was at present actually in garrison at Alexandria, and the Queen's German regiment. With respect to the foreign corps, which it was proposed to disband, he trusted the justice and humanity of the committee would induce them to make a liberal compensation to the officers. The sum of 321,000*l.* which was proposed to be voted, included

cluded not only the maintenance of the corps retained, but also a compensation for those disbanded. It was proposed to keep up the Royal Military College; upon an economical scale the expence would be 6369l. per annum. This institution was of importance, inasmuch as it tended to form skilful officers; and if we had skilful officers, the number of men employed might be decreased, as a small number of men, commanded by officers of skill, would do much more than a larger number under the command of officers inferior in military science. It was to be observed, at the same time, that a great part of the expence of this institution was defrayed by contribution. It was proposed to keep up also the Royal Military Asylum. He concluded by moving his first resolution, for providing 70,290 land forces, including officers, for the service of Great Britain and Ireland, from the 25th June 1802, to the 24th of December following.

Mr. Banks, on the first resolution being put, rose and observed, as the question now before the committee had already been touched upon on various incidental occasions, and as on these occasions he had reason to believe that the majority of the House did not concur with him respecting the amount of the military establishment which it might be deemed necessary to keep up during peace, he should not extend to any length the observations which he at present might be induced to offer on the subject. Indeed, he could not be satisfied that he conscientiously discharged his duty to his country or to himself, if in this new and unparalleled state of our affairs, he did not suggest those reasons which in his mind ought to guide the House, in forming those establishments which the present and future condition of the nation might require. The observations which he had to propose, would, however, be proposed with the utmost diffidence and humility; because he found he was obliged to differ in sentiment from those political friends to whose judgment and opinions he had on other occasions been disposed to pay the utmost deference. He would, therefore, first observe, that we were now proceeding to vote, under the heads of guards and garrisons, an establishment of above 70,000 men, including both Great Britain and Ireland. Of this number 23,000 might perhaps be intended for Ireland, the remaining 47,000 for the defence of Great Britain. The committee would, no doubt, attend to the great disproportion between this establishment and that which took place previous to the late war. For many years antecedent to the war this establishment varied from 12,000

to 15,000. The latter number was the lowest in 1792. To what it was now to be increased, they would have seriously to consider. The estimates for the plantation service, where indeed an increase might be thought most necessary, were also very considerably increased. Since the American war, the peace establishment under this head was usually from 13,000 to 16,000 men, it was now swelled to 25,500. He would not pretend to assert that this augmentation might not be necessary; yet he might be justified in saying, that in forming a peace establishment, if that which was deemed more vulnerable required a greater force, so that which might be looked upon as more secure, would require a less. In saying thus much, it was not in the general principle that he disagreed with his right honourable Friend, but in the application of it. He was ready to give him credit for every practicable economy that he might think consistent with security. But in framing our peace establishment, under the circumstances of the present moment, it might be difficult to reconcile a certain degree of security with the financial state of the country. That degree of security might be so far over-rated as to make the resources of the country wholly inadequate to attain it. Even during the war, when such immense exertions were displayed to recruit and keep up a formidable military force, we had not armies sufficient to cover all the points which it was our interest to protect. We were obliged to abandon Portugal, for example; nor was he therefore disposed to blame Ministers. He would only observe, that notwithstanding these great military exertions, during the hottest of the war, we had been obliged to abandon a point of such importance. Shall we then, armed only with a peace establishment, grasp at more than we can hold, and thereby exhaust those resources which a more sober economy would allow to fructify for encountering future difficulties? Great as the proposed establishment most certainly is, yet it is insufficient, if our rivals are supposed to retain a hostile mind against us. Insufficient, however, as it may appear under that apprehension, it is still too great for our resources. For it should always be recollected, that it is by our credit that we excel all other nations; and that, though our martial spirit should die away, yet in our credit would be found the principal nerve and main sinew of all those wonderful exertions which the country had displayed during the late arduous contest. To keep up that credit should be our first and most desirable object; nor was it an ill-judged economy

mony to hold it in view. It was as dangerous in great affairs to attempt to pursue middle means. In the present attempt we seemed to seek two objects, but the measures we adopted were not likely to attain either. This subject was mixed, indeed, with much political and financial matter, and on this he should beg leave to offer a word or two. The state of our finances, he was inclined to believe, was as prosperous as its most sanguine admirers would maintain it to be; and much, he trusted, would be done in all the departments of Government to relieve it by the introduction of economy. Yet what could these projected savings avail? They might appear great in the principle and the plan; but in sum and number they would be found little. The honourable Gentleman next went into a variety of calculations, to prove that the expence attending the proposed establishment would rise much higher than what it was estimated at, and that we stood in a much better situation in 1791 than we do now under the proposed peace establishment, when the whole charge of the military establishment would exceed the same establishment of that period by 3,400,000*l*. The navy estimates also surpassed considerably those of 1791, and upon the whole we should now have to meet double the expence with a fund diminished by 1,300,000*l*. This was a point most seriously to be considered; and with the most earnest wishes for the security of the country, it should be well weighed how far such an increased expence was necessary; for no doubt the committee would not feel themselves dispensed from proceeding with caution in the expenditure of the public money, because they had that money already in their hands. They should likewise consider that these establishments could not be supported without greater expences than those they are estimated at. The estimates may be accurate for the present year; because there were now extraordinary resources to meet them from the income tax, &c. &c. but these resources would not occur to cover them for future years; neither was there any reason to expect that the future increase of the revenue would be such as to meet this extravagant increase on the other side. There were one or two more points to which he should entreat the attention of the committee for a few moments longer. He would now ask, with what view and with what spirit have we made peace? The proceedings of Parliament had a greater publicity than the public proceedings of any other country; what would be thought in other countries of the

peace establishment now proposed; He would not say that it could be regarded as an infringement of the peace; but did it furnish no ground to suspect our sincerity? Why set the example to other countries of keeping up similar large establishments? Though they be not found to follow it, yet, does it not authorise them to do it, if they be thus disposed? What arguments does it not put in the mouth of the French Government, if they, for what purposes time may disclose, be determined to keep up a large military force? Is it wise to give them reason to say, we cannot disarm, because England will not? The honourable Gentleman illustrated and enforced these observations, by a reference to a passage in a French writer, upon the system of maintaining large standing armies: it was a contagious disease—it had its re-action—it was a system that armed all against all—and this was called peace. These reasonings were true at the time that writer made them; they were true still—and against the fatal consequences of such an example, we ought sedulously to guard; we were enabled to do so more than any other nation by our insular situation, by the spirit of the people, by their ardent love of the constitution, and by many other advantages and motives unenjoyed and unknown by many other countries. On these we should principally build our defence and our security, and we might the more confidently rely on them, from the consciousness that a greater diffusion of a military spirit had taken place among us, and a more expert and general use of arms, than perhaps at any former period. Whether therefore, from this consciousness of greater safety, or from tenderness to our finances, or from the impression our conduct in this respect may make abroad or at home, sound policy seemed to advise us to abstain from such an extravagant peace establishment. In his conception there was much mischief in the system, and he must intreat the committee seriously to consider it.

The *Chancellor of the Exchequer* said, that his honourable Friend who had just sat down, by the declaration he had made on the speech of his right honourable Friend who preceded him, had seemed inclined to consider the present proposition before the committee as a measure for the permanent peace establishment of this country, although his right honourable Friend, the Secretary at War, had endeavoured to impress upon the committee a very different idea, and had, for that purpose stated his view of the difference between

between this proposition, and the probable permanent peace establishment of this country. His honourable Friend had commented on the large allowance of 40,000 men for the defence of Great Britain.—Now, if the committee would refer to the speech of his right honourable Friend, the Secretary at War, they would perceive that this was not proposed to be voted for, the service of Great Britain alone, for the present year, but for Great Britain and Ireland, it being impossible, at present, to describe the specific amount of force to be allotted to each, or to propose to vote the force in any other manner; the truth was, that this was not the probable force to be kept up as our peace establishment, but the number could not be now brought to that reduced state, for a great part of our force, of our military force, as well as naval, was now abroad, much of our army was now at sea; so that, until their return home, we could not be said to be in a condition to determine upon the quantum of our peace establishment. That might prove to be less than many gentlemen might suppose, and less than he was willing to state, for this was not, for the reason he had already stated, the season for him to deliver his opinion upon that subject; he therefore wished it to be understood that he did not assert, by voting for the proposition now before the committee, that 40,000 men was a force actually necessary to constitute the real defence of this country; all that was conveyed by the present proposition was this, that between this and the period at which the vote would terminate, there would be no proper opportunity, in the opinion of his Majesty's Government, of reducing that number, consistently with the due care of the interests of the empire. His right honourable Friend the Secretary at War had said, that under the present circumstances, a smaller force than 25,000 men would be insufficient for Ireland; and, upon that part of the subject, he understood his honourable Friend, who spoke last, to have no objection; he thought there could not be any; he did, indeed, conceive that circumstances would operate rapidly to enable us to reduce, considerably, all our present proposed establishments, but although they might be rapid in their effect, yet nobody could expect their commencement to be immediate. As to the number proposed for the plantations, which was 25,000 men, he did not observe that his honourable Friend objected at all—but it was to be observed that it was not for the plantations merely, or for the colonies, that the 25,000 were proposed to be voted, nor was that number merely for Ireland either; but it

it was to be recollected, in considering this matter, that we had now several possessions to take care of which did not belong to us formerly, as well as that we had given up many which we possessed, by means of the late war. We had now to take care of Trinidad in the West, and Ceylon in the East. We were also to take care of Gibraltar, and likewise to protect and secure our possessions in North America; under all these circumstances, surely it was the duty of Ministers to provide such military strength as would give this country a reasonable degree of security. If there was actually a force of 47,000 men in the country, he did not know, that, under the present circumstances, such a force would be demanded for the purpose of security. There was no man who attached more importance than he did to the consideration of the means of our security, no man who relied more upon the valour of our fleets and armies; but he was also impressed with this conviction, that brave as our forces might be, great, or consummate as the skill might be by which they were directed, still we must always look to the zeal and ardour of the people to give life and vigour to all our undertakings; and this principle had been most conspicuous in this country, when most threatened with danger, and had been most of all signal in the progress of the late war. The credit of this country was also great; its resources vast—but with all these mighty advantages, for so they were, with all the advantages of the zeal, ardour, and public spirit of the people, the bravery of its troops, the skill of their commanders, the credit and resources of the country, and all the points which constituted its character, we could not be excused if we did not provide essential means like these for the continuance of its safety. As to the probability of our being again soon involved in war, he certainly had no idea of any such thing; but secure as he conceived us to be in this respect, he should not suffer that idea to lull him into a false security, for that would be worse than a false alarm of danger; the course which he wished to pursue was a middle course, which he hoped would prevent jealousy on the one hand, or an invitation, by weakness, to hostility on the other. He then proceeded to take notice of the difference which the present proposed force would make that from of the war establishment, the savings upon which, supposing no further reductions to take place between this and Christmas next, would be seven millions, three millions of which would be in the amount of the army establishment. Now, he observed, that,

that, from the manner in which his honourable Friend who spoke last, had taken up the subject, he hardly knew how to argue it, since his honourable Friend took the vote now proposed, as the permanent system of establishment, or something like the system, that was likely to be countenanced by Government, by way of the future peace establishment of this country; and taking it so, his honourable Friend had said it was too large in one sense, and too small in another; too large for a system of economy, and too small for a system of security; and he had stated it therefore to be of all systems the most exceptionable; and so it would be, if his honourable Friend was right in viewing it as too large for one purpose, and too small for another; but he apprehended it to be neither, but that it was a system which our security required, and which was not too far removed from economy under the present circumstances. His honourable Friend had taken a view of the peace establishment of 1791, and he had given the committee to understand, that the system of 1791 was that to which he inclined; that was indeed a system which was not liable to the double objection of being too large in one case, and too small in another—too large for economy, and too small for security. It certainly was not too small for the economy of which his honourable Friend spoke; but as to security it was miserably defective—he thought, therefore, that the plan for our establishment for the ensuing year, but which (from circumstances the Committee must see he would not define) could not be formed upon the model of the establishment of 1791. We ought, most unquestionably, to have a much larger establishment than that of the year 1791; and he would ask the committee, whether they had or had not made up their minds to follow the precedent of our military establishment of 1791 and 1792? He would ask every member of the committee, whether, upon looking back at all the circumstances of our military system in the years 1791 and 1792, he was not convinced that it was a system which, to say the least of it, was miserably deficient?—Whether, on the very instant of the breaking out of the war, there was not among us a general consciousness, that our military establishment was much below the point at which it would be prudent to keep it in future? He really thought such consciousness was general, and that the evils resulting from it were admitted; for it was not until the war had continued for several years, that we had an army capable of offensive operations, and it was not until within a certain, and not a
very

very remote period, of the termination of hostilities, our army was in the degree of force which it ought to be for the purpose of maintaining the contest in which we had been engaged. Now, if Gentlemen would make up their minds to incur a great danger for the sake of saving some expence, he would only say, that although that was the sentiment of his honourable Friend who spoke last, yet if it was the general sentiment in that committee, he should have to look forward with much more uneasy apprehensions for our safety, than he felt at present. He felt the necessity of economy; but in a large view of economy itself, he apprehended it to be proper to provide for our security, although the certain expence of so doing be considerable; because, in his view of the thing, there was no economy where there was no security. He knew his honourable Friend spoke on this occasion, as he did on all others, after much thought; that his opinions were always the result of reflection; his sentiments were always steadily formed and candidly avowed, not only in that House, but also out of it. He had the happiness of communicating with his honourable Friend upon many public topics out of that House, previous to the time of discussion within. He had done so upon the topic now before the committee; his honourable Friend had been so kind as to put him in possession of his sentiments on this subject; he knew the points he had brought forward that night, were points on which his honourable Friend's mind was made up, and therefore he had stated them to the committee; he applauded the candour, and respected the sincerity, of his honourable Friend—but he should feel considerable alarm for the situation of this country, if the opinion of his honourable Friend on these topics should become the prevailing opinion of that House. He was not disposed to attach much weight to any observations, however respectable the quarter to which they might be from whence they came, and none could be more so than that of his honourable Friend; but he could not attach much weight to observations which were made from the view of only one side of any subject; we could not think on the great increase of our expenditure, without feeling also that our income had likewise increased. Here we saw indeed an increase from fourteen to twenty-eight millions. If there was such an increase in the actual amount of our charges arising from the unavoidable increase of our debt, he did not conceive that this consideration deserved the denomination of a gloomy prospect, since there were on the other side prospects

of a comfortable kind; for if our debt had been augmented, imports had increased, our exports had increased, our shipping had increased, our manufactures had increased and all the sources of our wealth and power as a nation had improved, and this in a manner, that was much more than equal to the increase of our burthens. He was not to be understood by this to contend, that the pressure of the war was not great; on the contrary, he admitted that pressure to be great; but what he contended was, that the power of the country was greater than the pressure upon it, and that its means to support itself are still ample, notwithstanding the pressure it has borne. He did not mean to under-rate the pressure of the burthens upon this country at any time, but he did not see any reason why that part of the subject should be considered, without considering also the wealth of the country. Without desiring the committee to indulge any sentiment of distrust at the present posture of affairs, but merely for the purpose of inculcating a doctrine of necessary caution, he would desire the committee to look at the present geographical relation which this country bears to other countries on the different parts of the globe. He contended it was impossible to look at the map of Europe without feeling that a sentiment of caution and a certain degree of preparation was imposed upon that House. Did he conceive that there was any disposition indicative of danger manifested any where? Or, that he could say that peace should not be observed, and its advantages cultivated in the true spirit of peace? No such thing—he saw no such indication—he wished to inspire no distrust against the continuance of peace—but he looked at the world as it was—at mankind as they were; and he was not sanguine enough to think that the world was grown so much better, or that the temper of mankind was so much improved, as to think caution was absolutely superfluous—as to think that no advantage would ever be attempted to be taken of us, or that we should continue to be perfectly secure, although we should have reduced ourselves to a state of absolute weakness. To a state of weakness, he was of opinion, we should be reduced, if we adopted the system of this country in the year 1791, for which reason he could not assent to it. His honourable Friend had said; that a greater degree of publicity attended the proceedings of this country in state matters than that of any other in this world, and that this publicity had its advantages.

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tages and its disadvantages. This statement was perfectly correct as far as it went. That the publicity of the proceedings of a state was attended with some disadvantages was true, and they were inseparable from the condition of a free state; but that the advantages, on the whole case, greatly overbalanced the disadvantages of such publicity, was absolutely manifest to him; so much so, that he did not think it a question to be at all discussed in the present enlightened state of human society. But he could not help saying, that whatever evils might be supposed to attend the publicity of the sentiments of public men on public affairs, such sentiments, in his opinion, ought to be made public, that the world might judge of them. He never did, and he hoped he never should, use any violent or intemperate language towards other powers, but he should always use explicit language in conveying what he meant as necessary measures for the well being or safety of this country. How irritation could be the result of that course he could not conceive, but if it was to be so, he should not be deterred from doing his duty, from any such, or indeed any other consideration. Having said this, he should add, that in his opinion it was not possible to provide for the security of the country, nor indeed to be in that state of military force which all the committee (except his hon. Friend) seemed to wish, between this time and the end of the year, without voting that which was now proposed. He earnestly hoped the period was not remote when a large reduction would take place in our peace establishment; but we should at all events guard against the possibility of being placed in the same situation we were in at the period of 1791. Upon the whole, he was inclined to hope that the House and the country would not think that Government had shewn any improvident regard to what was due to the country, by bringing forward the proposition which was now before the committee. The amount of the naval, and of the military force to be kept up in this country must, in future, be judged of by circumstances; his opinion was, that they might be safely reduced to a very considerable extent; but he begged to be understood as not to pledge himself to any specific establishment, either as to navy or army. He should wish to proceed in such a manner as to provide for our safety in all cases, without any unnecessary expence. He was of opinion that the measure now proposed was not more than was necessary, under the present circumstances, to provide for our safety, according to the principle which,

which, he apprehended, was the true guide of our conduct.

Mr. *Jones*, in a short speech, declared himself a strenuous friend to such an establishment as the present circumstances of Europe might require, and however much convinced he was of the necessity of economy, he could not approve of any economical regulations which would endanger our security. The force now kept he considered as a preparation not for war, but for peace. Extended as the power of France was, it was highly expedient to keep up a formidable front on our side, and to evince at once the disposition and the means of preserving our rights and privileges unimpaired.

Mr. *Parliamentary* rose to correct some statements made by Mr. *Banks*. He said the honourable Gentleman had stated the excess of the revenue above the interest of the debt in 1791 to amount to 6,700,000*l.* and that in the present year only to 5,500,000*l.* In observing upon this, he should take the accounts made up to the 31st April last, instead of those made up to January, as in the latter there were many things which arose from circumstances not at all to be expected during peace. By the accounts made up to April last, the net revenue amounted to 22,996,000*l.* In this sum the customs were not included, nor a deduction of 2,000,000*l.* for corn bounties. The stoppage of the distilleries had also in the preceding period taken away a large sum; but of this he should make no estimate at present. There was omitted also in the accounts, the sum of 300,000*l.* of the revenues of 1801. In addition to this, the taxes laid on this year would, at the most moderate computation, amount to 4,000,000*l.* and the land-tax to 2,600,000*l.* making in all nearly thirty-one millions and a half. The interest and expences of the debt amounted to 21,600,000*l.* from which it would appear that the clear fund to cover our expenditure was 9,600,000*l.* instead of 6,700,000*l.* the boasted overplus of 1791.

Mr. *Banks* said, that from the papers laid upon the table he should attempt to justify himself from the charge of inaccuracy. The accounts which lay on the table only came up to January, it was therefore impossible, in reasoning from them, to take any notice of the loan, or the new taxes, which did not then exist. He contended, that all the particulars he had formerly stated were correct, that the balance of the free revenue was greater in 1791, and that we had a double expence on a less revenue; he should defer any further observations till a future day.

Mr. Robson observed, that such an enormous establishment could not be reckoned one of the blessings of peace.

The resolution was then put, and carried.

The Secretary at War then moved the following sums:

For the pay, &c. of the army in England, for six months from the 25th of June to the 25th December	£.764,000
Ditto for Ireland	439,350
For troops in the plantations	552,384
For corps employed in recruiting for the service	3,297
For the pay of dragoons employed in India	17,299
For the recruiting service in Great Britain	77,500
For the recruiting service, contingencies, watch-coats, &c. in Ireland	174,000
For the General and Staff-officers in England	13,487
Ditto Ireland	13,868
Ditto Scotland	7,981
Allowance to supernumerary officers	27,664
Ditto Ireland	1,200
For expences in the muster-master's department in Ireland	5,191
Allowance for small-beer, &c. to the troops in England	140,000
Ditto, Ireland	60,313
* Allowances to reduced officers in the army and marines	35,250
Ditto, Ireland	6,212
Half-pay to land forces and marines	144,500
Half-pay and allowance to reduced officers	45,245
In and out pensioners of Chelsea Hospital	156,111
General Staff	17,291
For the support of Kilmainham Hospital	26,214
For the pay of volunteer corps of cavalry and infantry in England, from the 25th of March to the same time in May, 1802	72,000
Ditto, Ireland	68,946
To officers' widows in England	16,017
Ditto, Ireland	3,873
Barrack establishment in England	296,291
Ditto, Ireland	136,999
Officers, formerly in the service of the States-General	753
Foreign corps	301,800
Support of military college	6,369

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To the Royal Military Asylum	£ 13,000
Civil officers attached to the army	100,865
For the support of hospitals, &c. &c.	16,191

Mr. *Robson* said, he remembered the time when there was a great jealousy in this country about the maintaining of foreign troops in British pay: he thought it strange that provisions should be made for those corps up to Christmas next, particularly as it was understood that they were in general to be disbanded.

The *Secretary at War* said that the corps in question had been embodied in consequence of acts of Parliament for that purpose, and the sums for their maintenance were annually voted by Parliament. The honourable Gentleman was incorrect in supposing that they were to be kept up till Christmas; some were to be disbanded in the course of this month, some in August, and some, who were on service, in November.

The resolution was agreed to.

The *Secretary at War* moved that the sum of 6,369l. be granted for the military college.

Mr. *Robson* objected to part of the estimate given in upon this subject: he objected to the appointment of a secretary, paymaster, and treasurer, particularly the latter, because, he said, a treasurer could not be necessary for so small a sum as 6,369l.

The *Secretary at War* said, that although the sum granted by Government was so small, yet, from the extensive concerns of this institution, such officers were necessary.

The resolution was agreed to.

The *Secretary at War* moved, that the sum of 13,000l. be granted for the Royal Military Asylum at Chelsea.

Mr. *Robson* said, the building for this institution ought to have been erected upon the ground belonging to Chelsea Hospital.

After a few words from General *Do Lancy*, the resolution was agreed to.

The *Secretary at War* moved, that the sum of 16,191l. be granted for medicines, bedding, and hospital contingencies, &c. in Ireland. Agreed to.

ORDNANCE.

Mr. *Sergeant* then moved the resolutions for the ordnance service, when the following sums were voted:

For

For the ordnance of Great Britain £.272,266

To cover a sum voted for this service in 1800, and

never made good 17,688

Ditto, 1861 102,919

Ordinance of Ireland for six months 53,076

These votes called forth further animadversion from Mr.

Roßon.

To whom Mr. Corry replied.

IRISH SUPPLY.

1. Mr. Corry then moved the following resolutions, which

were agreed to:

For Irish Treasury bills which became due in

1802 £.370,338

For compiling journals, and making an index to

the House of Lords in Ireland 2,973

For printing journals of the House of Commons in

ditto 6,951

For preparing ditto 6,584

Mr. Corry afterwards moved a great number of small

sums to defray expenses of a local nature.

The House then resumed, and the report was ordered for

the next day.

LORD HIGH CHANCELLOR OF IRELAND.

Mr. Corry moved the order of the day for the House to

resolve itself into a committee on a proposition for augment-

ing the salary, &c. of the Lord High Chancellor of Ireland,

which being read, the House resolved itself into the said com-

mittee, Mr. Alexander in the Chair.

Mr. Corry said, that he trusted no difference of opinion

could exist as to the propriety of the motion he was about to

submit to the committee, when the peculiar nature of it, and

the character and merits of the noble personage who in the

first instance was to be its object, was duly considered. It

was well known that the emoluments of the office of Lord

Chancellor of Ireland were considerably diminished in conse-

quence of the union, which principally arose from the cessa-

tion of the office of Speaker of the House of Lords in that

country. The late Lord Chancellor, by the compensation

which was made to him, continued to enjoy the full emolu-

ments, but that compensation was to continue only during the

life of the then Lord Chancellor. It was unnecessary to ex-

patiate on the great importance and dignity of the office, and

the necessity there was of having the person who filled it

duly

duly remunerated, and also to enable him to support the necessary dignity of the office. He entertained no doubt of the committee agreeing to place the noble personage who now held the office in as advantageous a situation, in point of emolument, as his predecessors. In consequence of an order of the House, an account had been made out of the salary, emoluments, and profits of that office. What he should propose was, that this account be made up a net sum of 10,000*l.* per annum. The income of the late Lord Clare, while Chancellor, was within a trifle of that sum; and he trusted, that when the nature and importance of the office were considered, the character and merit of the noble Lord who so deservedly filled it, and the necessity of his frequent attendance in this country as a Lord of Parliament, the sum would not be deemed too much. Under this impression, he moved, "That for the more effectual support of the dignity, &c. of the office of Lord High Chancellor, or Keeper of the Great Seal of Ireland, the Lords Commissioners of the Treasury of that part of the united kingdom be authorized to issue out of the consolidated fund of that kingdom such sums as, together with the salary and profits of such office, may amount to the net sum of 10,000*l.* sterling."

Mr. *W. Brabazon Ponsonby* observed, that this was one of the few propositions of a similar nature to which he could with pleasure accede. He paid some high compliments to the talents and integrity of the noble person who now held the high office of Chancellor, but begged it to be understood, that he protested against its being construed into any precedent in favour of unworthy individuals.

Mr. *Leigh* observed, that the proposed increase was by no means more than adequate to its objects, and that no measure whatever could cause more pleasure in Ireland than that now proposed. He felt it unnecessary to expatiate on the rank and dignity of the office, or the necessity of its being filled by a person of talents and ability—and he heartily thanked his right honourable Friend for bringing it forward.

Mr. *Robson* stated his objections to the proposition at some length: from what a Gentleman of Ireland had just stated, the emoluments of the office were more—therefore this would be a reduction of them; but setting that aside, 10,000*l.* was a great deal of money, and so those would think who were to pay it: besides, the duties of the office were reduced, then, why continue an equal salary? A net 10,000*l.* a-year

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a year was a cool thing. He knew of no office in England
any thing like it. That of our Chancellor of the Exchequer
was perhaps not half so well paid. There would be no peace
in the learned profession after this—all would grasp at this
fine cool thing—its effects would be astonishing. He should
hear better reasons for the increase ere he could agree to vote
so much from the pockets of the people of this country.

The *Chancellor of the Exchequer* observed, that the honour-
able Gentleman seemed much disquieted on the present occa-
sion, but he was at a loss to know whether the propositions
operated more on his feelings of duty or on his ambition (*a
laugh.*) To him, he seemed a little affected on that score;
but, to speak seriously to the point, he was astonished that
any person capable of comparing the manner in which the
discharge of the important duties of the office in question
were remunerated, with the manner in which the Lord
Chancellor of England was remunerated, could, for a mo-
ment, imagine that what was now proposed was any other
than adequate remuneration. He would go further, and
contend that, when every part of the question was considered,
and the necessity which existed of having the first talents,
abilities, and character to fill the office, the proposed remun-
eration was money the most economically expended.—
When they considered the great advantages which would re-
sult to Ireland by a pure and diligent administration of
justice, he was confident, that every intelligent man, even
those who were swayed by the paltry consideration of individ-
ual interest, must acknowledge the remuneration to be eco-
nomical, and that, on such a principle, never was money
more cheaply bestowed. The question before the committee
was obviously to be considered independently of the worth
and merits of the noble personage who filled the office, for
whom no person could feel a greater regard, esteem, or
friendship, than himself. The office of Lord Chancellor of
Ireland was the main object, and when they considered the
increased expences necessarily incurred by that officer since
the union, when, as in the instance before them, he should
come to visit this country, and take his seat in the Upper
House of Parliament, to which his character and talents so
justly entitled him; the necessity of his having a place of re-
sidence here, the additional sacrifice of personal ease, which
the present Chancellor of Ireland made merely from consid-
erations of public duty, no man could object to the proposed
increase, an increase due not merely to Lord Redefdale, but

to the High Chancellor of Ireland: this declaration he felt it his duty to make, highly as he valued his noble Friend, such feelings did not operate with him on the present occasion; he was urging only a just and adequate remuneration to the Lord Chancellor of Ireland, and which, when it was considered the talents and character which would always be necessary to fill that station, he was confident no man could controvert; the arduous duties and great importance of that office could not be surpassed in any country, and being persuaded that the office was now filled with as much ability, knowledge, and rectitude, as that exhibited by any person that ever sat on the woollack or Chancellor's chair in either kingdom, he could not but express his astonishment at finding the proposition considered in the light which the honourable Gentleman seemed to consider it.

Mr. Jones said, he would not advise his honourable Friend to let ambition fire his mind upon the present occasion, but, to a certain degree, he considered the proposition in the same point of view with him. He would ask, if the Chancellor of the Exchequer, who was, perhaps, the first public officer in Europe, had half such a stipend? To the present Chancellor of Ireland he could agree, *bona fide*, to give the sum; but in the present situation of this country, he requested the right honourable Gentleman to pause, and he urged the lateness of the hour and so thin a House, as objections to deciding upon the point: however, if it were ultimately voted, he should, be the Minister whom he may, propose that he should have a larger salary than he now enjoys.

Lord Castlereagh spoke ably in support of the motion. If the compensation was not continued, the Lord Chancellor of Ireland would not be in a better condition than the Chief Justices of the inferior courts in that kingdom. He would support the motion, not on personal grounds, though he highly respected the noble Lord who now filled the office, but as a measure of public justice, and as one highly advantageous to Ireland.

Mr. Moore followed on the same side, and, at some length, supported the motion. In the course of his observations, he begged the committee to consider that the sum of 10,000l. was not proposed to be taken out of the public treasury, but merely as much as would make the present emoluments amount to that sum; this could not be so much as 4000l. per annum: and from some calculations, which he entered into, may contingently fall short of that sum.

Mr. *Robson* took occasion to enter into some calculations in support of certain propositions which he had in the first instance advanced.

The *Chancellor of the Exchequer* spoke in explanation.

Mr. *Ormsby* spoke in favour of the motion, and, in a speech of some length; displayed much ability and knowledge of the subject.

Mr. *Robson* said a few words in reply; after which the question was put, the motion agreed to by the committee, and the House resuming, ordered the report to be received the next day.

Mr. *Lee* stated, that he should, the next day, move for a committee of the whole House, to consider of the making provision for defraying certain expences incurred by commissioners, clerks, &c. employed on occasion of controverted elections in Ireland, and in the return of Members to serve in the United Parliament.

A short explanatory conversation took place between the Honourable Gentleman and Mr. W. B. Ponsonby, on the nature of this intended proposition; after which the notice was taken down accordingly.

On the motion of Lord *Castlereagh*, the report upon the petition of the Sierra Leone Company was ordered to be referred to the committee of supply on Friday.

The report of the committee of supply, in which sums of money were voted to Dr. Jenner and Mr. Greathead; was brought up and agreed to.

The *Chancellor of the Exchequer* gave notice, that on a future day he would move an address to his Majesty, praying him to grant a sum to Dr. Jenner equal to his fees, which would amount, he believed, to about 500*l*.

Mr. *Vanstuart* brought up an abstract of the population returns. Owing to the culpable negligence of the sheriff of Sutherland, he said, it was still incomplete. That gentleman, notwithstanding repeated solicitations, had made no return, but he was determined, at the very beginning of the next session, to make him amenable to the justice of the House.

A bill for the trial and punishment of those holding public situations abroad, was read a first time.

The sinking fund bill was reported; to be read a third time the next day.

Mr. *Alexander* brought up the report of the committee on a proposition respecting the duties upon all goods imported into

into Ireland, sugar excepted, which, being read, was agreed to by the House, and a bill ordered to be brought in accordingly.

The *Attorney General* moved the third reading of the police bill, in which some additional clauses were introduced; and after a few words from Messrs. Jones and Ellifson, the bill was read a third time and passed.

Mr. *Vanfittart* presented a bill to equalize the rate of postage of letters between Great Britain, the French and Batavian Republics, &c. which was read a first time, and ordered to be read a second time the next day.

The report of the aliens' bill was received and agreed to, and the bill ordered to be read a third time the next day.

The report of the national debt reduction bill was received; some clauses were proposed by Mr. *Vanfittart*, and agreed to, and the bill ordered to be read a third time on Friday.

Mr. *Vanfittart* brought up a bill to permit certain quantities of wheat to be exported from Southampton and Weymouth, to Guernsey, Jersey, &c. Read a first time and ordered to be read a second time on Friday.

The House resolved itself into a committee on the land-tax redemption bill, to which some amendments were made. The House resuming, the report was immediately received, and ordered to be taken into consideration on Monday.

The House, on the motion of Mr. *Vanfittart*, resolved itself into a committee on a proposition for making a free port in the island of Tortola, on the advantages of which the honourable Gentleman expatiated at some length, and concluded that the Chairman be directed to move the House for leave to bring in a bill to that effect, which being agreed to, was done, and the bill ordered to be brought in accordingly.

The House, in a committee upon certain stamp duties paid on insurances, came to some resolutions, moved by Mr. *Vanfittart* and Mr. *Ormsby*, for the abolition of the same, and creating others in lieu thereof. The report was ordered to be received the next day.

Some orders of the day were postponed till the next day.

Mr. *Ormsby* moved for leave to bring in a bill to require persons keeping licensed lottery offices, to divide into shares a certain number of whole tickets, which was ordered accordingly.

Mr. *Ormsby* then stated, that it was the intention of his right honourable Friend (Mr. *Corry*) to move for a bill to enable the Lords of the Treasury in Ireland to dispose of the interest

interest of the Crown in the late Parliament House, in that part of the United Kingdom.

Mr. *Robson* gave notice, that an honourable Friend of his intended to move, on Friday, for certain papers relative to the government of the Carnatic.

Mr. *Alexander* stated his intention to move, the next day, for leave to bring in a bill to vest a certain discretionary power in the Lord Chancellor of Ireland, with respect to uncertificated bankrupts.

Adjourned.

HOUSE OF LORDS.

THURSDAY, JUNE 10.

The Irish yeomanry bill, and several others, were brought up, and presented by Mr. *Alexander*, Mr. *S. Thornton*, and others, and read a first time.

The Marquis of *Salisbury* reported his Majesty's answer to the late address of the House.

The proper officer presented an account of the general amount of the produce of the sale of old naval stores, pursuant to a late vote of their Lordships. Ordered to lie upon the table.

BONHAM'S DIVORCE BILL.

Counsel (Mr. *Garrow*) and evidence were heard on the question on the second reading of the bill, to dissolve the marriage of *George Bonham, Esq.* with *Paulina*, his now wife. From the statements and depositions of those, it appeared, that the petitioner is captain of the East-India Company's ship the *Walmer Castle*; that in March, 1797, he was married, at *Calcutta*, to *Miss Paulina Lushington*, daughter of *William Lushington, Esq.*; that they lived and cohabited together as man and wife until June following, when the Royal Admiral, Company's Ship, then commanded by the petitioner, was ordered to take in troops to be employed in an attack upon the Spanish settlements at the *Mantillas*, on which account it was deemed advisable, by the friends of the parties, that *Mrs. Bonham* should return to her friends in England, and, accordingly, some time afterwards, she embarked for Europe, on board the Company's ship *Minerva*. It appeared, that *Mrs. Bonham* was, during her voyage, delivered of a male child, of which she was pregnant at the time of her departure from *Calcutta*; that, at the *Cape of Good Hope*, the lady became unfortunately acquainted

quainted with Major Rooke, of one of his Majesty's regiments serving in India, who accompanied her home to London, where it appeared, by the testimony of one or two of the witnesses, that an adulterous intercourse took place between her and Major Rooke; that the petitioner did not return to England till the 29th of October, 1798, an interval of sixteen months after his separating from Mrs. Bonham at Calcutta, and during that period the lady was delivered of a child, in London, on the 8th of April, 1799, which, according to the deposition of one of the witnesses, a lady at whose house Mrs. Bonham then lodged, was a fine, full-grown child. In consequence of what he had heard, the petitioner had no sort of intercourse with Mrs. Bonham, and, on the detection of her adultery, he brought his action in the Court of King's Bench, against Major Rooke, who suffered judgment to go by default, and damages were afterwards duly assessed at 3000*l.* with costs of suit. The usual proceedings were then instituted on the part of the petitioner in the Ecclesiastical Courts, and in March, 1800, he obtained a definitive sentence of divorce from bed and board, &c. The learned Counsel observed, that no case whatever could be more free from the important consideration of any imputation of collusion than the present, as the petitioner had never even heard of Major Rooke, until he heard he was the author of his misfortune; that on the question of assessing the damages, every possible effort was made on the part of the defendant to reduce them, and that, since the award, every practicable step was taken to enforce the payment of the damages.

The facts above stated were regularly proved at the bar, seemingly to the satisfaction of their Lordships, and the *Lord Chancellor* just took occasion to observe, that the fact of the non-intercourse between the petitioner and his wife, from October, 1798, and her delivery of a full-grown child in April, 1799, was decisive as to her adultery.

No difference of opinion seeming to prevail as to the merits of the case, the *Lord Chancellor* put the question, when the bill was forthwith read a second time, and committed for the next day.

The motion which stood for the order of the day was, on the motion of the *Duke of Norfolk*, and after a few words from the *Lord Chancellor*, adjourned, on account of the indisposition of *Lord Thurlow*.

IMPRISONMENT FOR DEBT.

Lord *Rauddon* (Earl *Moir*) said it was necessary that he should say something in justification of his not having fulfilled a pledge which he gave, some months since, to the House, to bring forward some measures relative to the present system of laws relative to imprisonment for debt. His intention, his Lordship said, was to have introduced two bills; the one a regulation as to arrests in mesne process, which would be prospective, and relate to the future; and the object of the other bill would be immediate in its operation. One of the reasons which had impeded the bringing forward of the latter, was the difficulty of ascertaining such debtors as had obtained the being taken and sent to prison upon friendly arrests, in order to wait there to take advantage of an expected act of insolvency. But the matter was now under investigation in the proper place, and, no doubt, would soon be prepared. — A second reason why he had not been able to complete the collection of materials on which to found his clauses, was the singularly different species of process, in cases of arrest, pursued in the different courts of the kingdom, and the very great difficulty of obtaining a correct knowledge of these distinct processes. And a third reason was, that the Judges, who were best able to weigh the propriety of the several clauses in the two bills, and decide how far they were adequate to their object, wished for more time than they could conveniently spare, under the present circumstances, to consider them. Desirous of allowing those respectable persons more time, he was willing, for the present, to wave the pledge he had given; but, in so doing, he by no means intended to withdraw his purpose, but would certainly bring it forward early in the next session.

Lord *Holland* said, he by no means meant to impute any blame to his noble Friend, for his conduct on the subject to which he had alluded; on the contrary, the whole of it reflected great honour upon him; and as the subject of making some permanent and wise law respecting imprisonment for debt was absolutely requisite, in order to do away the necessity of having recourse to occasional bills of insolvency, which were but bad expedients, and attended with many pernicious consequences, he not only hoped that his noble Friend would bring forward his intended bills early in the next session, but that the House also would make it a point to give them their most serious attention. Adjourned.

HOUSE

HOUSE OF COMMONS.

THURSDAY, JUNE 10.

NON-RESIDENCE OF CLERGYMEN.

Mr. Dickenson moved for leave to bring in a bill to continue for a further time to be limited, an act passed in the forty-first year of his present Majesty's reign, entitled, "An act to stay, till the 25th of March, 1802, the proceedings in actions upon the statute of Henry the Eighth, for abridging the right of spiritual persons to hold pluralities; and also to stay, for a time to be limited, the proceedings under the Stat. 13 Eliz., c. 20. for restraining the grants of leases by spiritual persons holding benefices."

Sir Robert Buxton said, he should not oppose the motion, but he thought the principle of suspending acts of Parliament extremely detrimental to the country. He wished the honourable Gentleman had brought forward a bill to amend the act of Henry the Eighth, with regard to the appropriation of the penalty. Such a measure, he was of opinion, would have answered every purpose, and rendered it unnecessary farther to have entered into the subject.

Mr. Dickenson said the present was only a temporary measure; there would be opportunities of adopting further regulations next session.

Mr. Hobhouse brought up the report of the English contested election bill. The resolutions were agreed to, and several clauses added. It was then ordered to be printed, on the motion of *Sir William Elford*, and to be read a third time on Monday.

The report of the committee on the petition of the Lord Mayor and Corporation of London, respecting their concerns in the grounds belonging to the Grand Junction Canal Company, was brought up, and ordered to be printed.

The Hull dock bill was read a third time and passed.

The report of the coroner's bill was brought up, and on the motion that it be read a third time, a number of voices cried out No! Upon which a division took place; ayes 23, noes 35. The bill, of course, is lost.

ARMY ESTIMATES.

Mr. Fox offered some observations on the vote of the preceding night, respecting the military establishment for the remainder of the year. He said, he merely rose not to go at large into the question, but to ask whether the information
he

he had received with respect to what had passed in the House the preceding night was correct in this point, viz. That the right honourable Gentleman (the Chancellor of the Exchequer) had acknowledged that the proposition made to the committee regarded only the military establishment for the remainder of the year, and did not contain any settled basis for the future peace establishment? The honourable Gentleman next observed, that had he been present when the merits or demerits of the peace were under discussion, he could not have more distinctly voted in favour of the peace, than by supporting a vote for a comparative smaller military peace establishment. But the question of a peace establishment was not now properly before the House, otherwise he should think it necessary to take a wider view of what the present circumstances required, more or less than the peace establishment of 1783. But as he could not see that Parliament was now called upon to consider what might be the future peace establishment, and as that was a question which he considered as completely open to this or any future Parliament (for on this question they could not be bound down by the vote of the preceding day or of that night) he should not detain the House in further observing upon it. He should merely beg leave to touch upon the three principal points contained in the vote of the preceding day. These were, the establishments voted for Great Britain, for Ireland, and for the West Indies. With regard to the West Indies, he was not prepared to say that the establishment voted was too great to secure these colonies, if we were mad as well as wicked enough to persevere in carrying on the slave trade, that detestable and equally dangerous and absurd traffic, which, if persisted in, might require a still larger military force to be kept up for the continued security of our West India colonies. As to Ireland, after the atrocities of all kinds that have been practised by Government in that unhappy country, in order to bring about the union, he was not prepared to say that it might not have been put in a state to require a greater military establishment than had been deemed necessary in former periods. But, with regard to Great Britain, he could not conceive many reasons why the peace establishment might not be less than that of 1783; and not one reason why it should be greater in consequence of the present state of Europe, or consistent with the terms and the principle upon which the late peace was made. On this point he had deeply reflected, and his matured and settled opinion was, that

that the basis of the establishment now proposed was too large for Great Britain. But as he understood it to be specified, that the present was merely calculated for the service of the remainder of the year, and that the question of the peace establishment was still open for discussion, he should now only say, that nothing but experience and full conviction should alter the opinion which he had already formed upon this subject.

The *Chancellor of the Exchequer* confessed that he entirely assented to what had fallen from the honourable Gentleman, in as much as the present proposition regarded only the remainder of the year, and that Parliament was not bound to any specific peace establishment by the present vote. It seemed, however, to be inferred, that the vote now proposed was not to form the basis of the future peace establishment; and if he adverted again to this point, it was merely to prevent his being misunderstood. If the honourable Gentleman's observation went only to the amount of the military force to be kept up, he was ready to admit that it might not be considered as the basis of the future peace establishment; but if it regarded the mode and plan of that establishment, he must differ somewhat from him. It was the intention of Government to have strong and numerous battalions, or battalions filled up with a greater number of effective men than those that formed the peace establishment of 1783, and the plan and mode of this intended establishment, as far as it now could be conjectured at, would be found described in the vote now under consideration. The authority of the honourable Gentleman's opinion, was, no doubt, great; but great as it undoubtedly was, it should not induce him to recognise the principle, that in the present state and circumstances of Europe, no greater peace establishment was necessary than that which was adopted in 1783. The honourable Gentleman agreed with him, that the present state of the West Indies required a larger establishment than heretofore, and that Ireland might also require a more extended military establishment. On the causes only why such an increase was requisite, there was a difference of opinion between them; and in those so forcibly alledged by the honourable Gentleman, it surely was impossible for him to acquiesce. There was also a difference of opinion between them respecting the amount of the force to be kept up in Great Britain. On this point it was not his intention now to provoke any discussion. His principal reason for rising was, to prevent any

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misunderstanding of the opinion he had expressed. But he
must at the same time say, that he should deceive the House
if he did acknowledge it to be his firm conviction that,
under all the circumstances of the present time, a much
larger military establishment was necessary for the security
of the country than at the period of 1783; and he was like-
wise ready to assert that this increased establishment was
neither inconsistent with the principles of our free constitu-
tion (for which he felt as tenderly as the right honourable
Gentleman could do) nor with a correct view of that system
of economy which it was the interest of the country to pur-
sue; he meant that larger system of economy which is ap-
plicable to the general scale that should guide economical
measures, and that is not squared and restricted to a particular
year, or to the circumstances of one or two years. Satisfied,
therefore, as he was, that the present circumstances called
for a larger establishment than might have been deemed ne-
cessary at the conclusion of the peace of 1783, and convinced
that such an establishment might be kept up without any
injury to the constitution, and in perfect consistency with a
well understood economy, he trusted these considerations
would justify the resolution now under consideration, and
that the House would merely look upon it as regarding the
service of the remainder of the year, and not the permanent
peace establishment, which was a question still open to par-
liamentary discussion.

Mr. Fox thought himself rather misunderstood, in some
points, by the right honourable Gentleman. When he said
that he was not prepared to say that an increased force might
not be necessary for Ireland and the West Indies, he only
said so with regard to the circumstances in which these
countries had been placed, and not as delivering an opinion
upon the subject. As to the basis and plan of the future
establishment alluded to by the right honourable Gentleman,
he could not form a correct notion of it, as the quantum of
force to be employed was not now distinctly before the
House. In what he had offered on the present question, he
merely intended to declare the opinion of an individual, an
opinion not lightly taken up, and which nothing but a full
conviction that it was ill founded could induce him to
forego.

The resolutions were then severally read and agreed to,
and the bill ordered pursuant to the same.

The Secretary at War referred to a part of his speech the
preceding

preceding night, in which he mentioned that most of the foreign corps were to be disbanded. He should be sorry to be misunderstood on this point, as it might occasion much pain to many worthy individuals. The intention of Government was, that all the foreign corps should be disbanded except those of Stewart, Rohan, and Murop, which were now in foreign stations. As to the Dutch corps, he should only say, that their case was at present under the consideration of persons best qualified, and best able, from their situation, to decide upon it, and the point to be deliberated was, whether they should not, at all hazards, be continued for a limited time. They were, no doubt, entitled to consideration, as the public faith had been pledged to the officers who had adhered to the Prince of Orange.

The other resolutions were then read and agreed to.

On the motion of the Secretary at War, leave was given to bring in the mutiny bill, and also the marine mutiny bill.

Mr. *Corry* rose in consequence of a notice given the preceding day, to make a motion relative to the public building in Dublin, known by the name of the Parliament House. As this building was now unoccupied, it had been thought advisable to turn it to some useful purpose, and there was no one for which it had appeared to be better calculated than to allot it for the reception of the national bank, which, in consequence, it had been resolved to transfer thither. He did not conceive it necessary to say any more on this subject; he should therefore merely move, "That leave be given to bring in a bill to enable the Lord High Treasurer, or Lords Commissioners of the Treasury of Ireland, to sell and dispose of that building in Dublin, called the Parliament House, with all its appurtenances, to the governor and company of the bank of Ireland."

Leave was given.

The Irish linen-manufacture bill went through a committee, and the report was ordered for the next day.

The Dutch property bill was read a second time, and committed for the next day.

On the question being put, that the House do resolve itself into a committee on the Irish controverted election bill,

Mr. *Foster* said, he looked upon Mr. Grenville's bill as one of the best ever passed, and he did not wish to see the Irish Members deprived of its advantages, to which they had acquired a title by the act of union. There were, indeed,

opposite inconveniencies attending their situation. It was, indeed, inconvenient to bring witnesses from such a distance; but it would be attended with still greater disadvantages to give up the trial by jury, in which light he considered the committees appointed by the Grenville act. It was dangerous to entrust the investigation of a candidate's claims in the hands of persons unable to form a proper judgment of them. He should be glad to know what was to be done upon the event of a controverted election in Ireland; it was necessary to have a Member of the Imperial Parliament brought over as a witness. Was the commission to stop all proceedings till he chose to come over, or were they to proceed to a final decision, independent of his evidence, however essential? The bill gave the new tribunal no powers to compel his attendance. The want of this power had been felt by the committees of the Irish Parliament, formerly appointed to try controverted elections; and they had often been obliged to have recourse to the House to compel the attendance of witnesses, without whose evidence their decisions must have been made in direct opposition to justice. He thought it very improper to make different regulations for Ireland and Great Britain. Trial by jury was here given up, and written evidence admitted instead of that by *viva voce*, by which means all the advantages to be derived from confronting witnesses were lost; and the evidence of the witnesses would also be influenced by the local tribunal before which they were to be examined. He did not, however, mean to propose any alteration of the measure; he merely meant to state his opinion, and enter his protest as an individual against it.

Mr. Lee said, that he should trouble the House with a few words in support of the bill. It was very far from his wish, or from the object of this bill, to give up the principle of the Grenville act, which no man in the House admired more than he did, because he was convinced that the purity of Parliament depended more upon that act than any other that had ever passed. It was therefore far from his intention to deprive Ireland of the benefit of that act, he merely wished to make it applicable, as far as it was possible, to Ireland. When the question of union was under consideration in Ireland, the trial of controverted elections appeared to be the great bar to that measure. The noble Lord who proposed the measure of union in Ireland, and who, during its progress, displayed the greatest talents, candidly admitted that

that great difficulties presented themselves upon the subject of controverted elections. He stated a variety of plans which might be proposed to obviate this difficulty, though he pledged, and ultimately the point was left for the wisdom of the United Parliament, and consequently the Imperial Parliament was bound to adopt some measure upon the subject. The right honourable Gentleman seemed to think that this bill completely deviated from the principles of the Grenville act, but if the House would examine the bill, they would find that it varied as little as it was possible from that act. The provisions of this bill were simply these: when a petition came from Ireland, respecting a controverted election, it was to be referred to a committee appointed according to the provisions of the Grenville act. The parties are then to be called before the committee, and if the question in dispute should be merely of a legal nature, such as the construction of an act of Parliament, of a charter, &c. in such a case he should think the committee would not send the question to a commission in Ireland, but would decide it as they would a controverted election in England. But in the case of a county controverted election, where the legality of some hundreds, or perhaps thousands of votes were to be scrutinized, and where several witnesses must necessarily be examined, there he should think the committee would properly send the question to be examined by commissioners in Ireland; because the expence of bringing over perhaps a thousand or two of witnesses, would be absolutely ruinous. In the case of a contested election not long ago, for the county of Tipperary, in which there was a petition which lasted near a year and a half, the expence to the parties was not less than 20,000*l*. Now, if such an enormous expence was incurred from trying that question in Dublin, it was not going too far to say, that it would be four or five times as great if it was tried in London. There was another circumstance which, in his opinion, deserved the attention of the House. It must be recollected, that two-thirds of the Irish Members were returned by Sheriffs who were appointed by the Crown. Now, if the expence of trying a controverted election, under the Grenville act, was so great, Gentlemen would be unwilling, and indeed unable to assert their rights by a petition, the consequence would be, that of adding greatly indeed to the influence of the Crown, because the return would be made by Sheriffs appointed by the Crown. One of the right honourable Gentleman's objections to this bill was, that it would

would be impossible for the commissioners in Ireland to compel the attendance of witnesses; but if the right honourable Gentleman would look at the bill, he would find that there was full power vested in the commissioners for that purpose. He did not attempt to deny that there was only a choice of difficulties in this case, because, whatever plan was adopted, great inconveniencies would ensue. It was at one time proposed to send over English Members to Ireland, to try those elections: this plan he did not propose, because, if he did, he should most probably be in a minority. It was then suggested, that Irish Members ought to be sent over to try those elections; but if there were five or six contested elections to try, it would take nearly the whole of the 100 Irish Members away from their duty in Parliament to try them; the objections therefore to these plans were insuperable, and it was necessary to have recourse to some other mode: the present one seemed to him the least liable to objection, though he by no means thought it was free from objection. It was proposed that the necessary evidence should be taken in Ireland, by commissioners appointed for that purpose, in the following manner: each of the contending parties were to produce a list of three barristers, who were to be reduced by striking off to two; those two were to appoint as Chairman another barrister, or, if they could not agree in the choice of a Chairman, he was to be appointed by the committee. The commissioners thus appointed were to proceed to take evidence, which they were to transmit to the Speaker of the House of Commons, by whom it was to be given to the committee; and upon that they were to decide, as in the case of controverted elections in England. He freely admitted that written evidence was not so good as parole evidence; but it should be recollected, that all the proceedings of the Court of Chancery were founded upon written evidence, as were the proceedings in the equity side of the Exchequer, and he never heard that the decrees of those Courts were considered as less consistent with justice than the decisions of the Courts of King's Bench or Common Pleas. It was true that the Court of Chancery sometimes sent an issue to be tried by a jury, but he apprehended that, for the purpose of taking evidence, a commission of three barristers would be the properest tribunal to which to refer such a question. These were the grounds upon which he supported this bill, not because he thought it free from objection, but because it appeared to him to be more free from objection than any other, at the same time he

should be ready to adopt any amendment to this plan, by which the great object of this bill could be obtained with less inconvenience.

Lord Temple said, he took shame to himself, because he neither knew the provisions of this bill, nor, indeed, that it was to be discussed that evening, till he came into the House. He certainly should be glad if he could consent to this bill going into a committee, but it appeared to him so completely at variance with the Grenville act, (for which he had perhaps a greater regard than any other gentleman in that House, for he had an hereditary regard for it) that he should oppose this bill, and if it was necessary, he would take the sense of the House upon it. The object of the Grenville act was to take the trial of controverted elections from the House of Commons at large, for the purpose of placing that jurisdiction in a committee, but the object of this bill was to enable the committee to delegate its powers to others, a thing which he had never heard of before, and which, he believed, was perfectly new in practice. The power of the committee was to be delegated to three barristers: he had a great respect for gentleman in that profession in Ireland, as well as in England, but however respectable the gentlemen of that profession might be, there were some in that, as well as in other professions, that were a disgrace to it, and yet they might be the persons appointed as commissioners; and the House would observe, that these commissioners were not only to take evidence, but they were to state their opinion upon the evidence. But these barristers, at all events, ought to be independent men; now there was no provision of that kind in this bill; on the contrary, he understood that these barristers were to be paid by the crown. If these barristers were merely to take the evidence, he should not think so ill of the bill as he did, but they were not only to take the evidence, but they were to give their opinion upon the effect of it, which was virtually to decide upon the question. Upon these grounds he should oppose this bill.

Lord C. Fitzgibbon said, he would state as shortly as he could, the reasons why he supported this bill. It was certainly true, that during the discussion of the question of union in Ireland, great difficulties arose with regard to the plan which ought to be adopted for trying controverted elections in Ireland. The difficulty still existed, and the only question now was, what plan could be adopted that was attended with the fewest inconveniences; no plan could be totally exempt from

from them; the House therefore must balance the different degrees of inconvenience. If no regulation whatever was adopted, then the expence attending the trial of Irish controverted elections in England, would, in fact, amount to a denial of justice, because the expence would be so great, that gentlemen would rather forego their right, than undergo the expence of maintaining it. At the same time he admitted that there were objections to the present bill; he was sorry that the necessity of the case required that the committee should decide upon written rather than upon parole evidence; but this was an evil to which he did not see any remedy that could be applied. The great object he wished to attain was, to give to Ireland the full benefit of the Grenville act, with as few restrictions as possible; but that some restrictions were necessary was obvious, because, if the Grenville act was to be completely extended to Ireland, it would destroy instead of securing the freedom of election. With regard to the act which had passed upon this subject last year, he had in some degree disapproved of it, because it departed farther from the Grenville act than he thought the necessity of the case required. With regard to what had been said about the appointment of barristers to act as commissioners, it appeared to him that they were the properest persons that could be selected for that purpose, from the nature of their education and their professional practice. As to their being independent, he thought they ought to be so, not independent from their landed possessions, but from their standing at the bar, which was at least *prima facie* evidence of the respectability of their character. As to their being paid by the Crown, that appeared to him to be no stronger objection to them than it was to the Judges who were also paid by the Crown. A right honourable Gentleman, Mr. Foster, had stated a case in which it might be necessary for a Member of Parliament to attend to give evidence before the commissioners in Ireland: this was not a case very likely to happen, but even if it were, an application might be made to the House, and he had no doubt that they would give permission to any Member to attend the commissioners for that purpose. This he did not mean to say would be no inconvenience, but when it was put in competition with the inconvenience that would result from bringing over perhaps a thousand witnesses, he again repeated that the House had to decide between the inconveniences which presented themselves upon every plan that could be suggested,

suggested, and as he was of opinion that there were fewer objections to this than to any other plan he had heard suggested, he should give it his support.

Colonel *Bagwell* said, that he should support this bill, because he thought some measure of this kind necessary; and he had heard no other plan suggested, which appeared to him so little liable to objection as the present. He had been alluded to as having been concerned in a controverted election for the county of Tipperary, the expence of which had been stated within bounds, at 20,000*l*. He had such an idea of the expence of trying a contested election in England, that if he had 5000 votes, and a person who had only 50 were to petition against him, he would give up the contest. The fact was, that if something like the present bill was not adopted, it would be hardly possible to have a fair election in Ireland.

Mr. *Jones* spoke in favour of the bill.

Sir *J. S. Erskine* said, he was aware of the difficulties that attended a measure of this kind, and therefore he was sorry to oppose this bill; but as it appeared to him to be a complete departure from the principle of the Grenville act, he should oppose it. The decision would by this bill be completely vested in the barristers, because as they were to give their opinion, it would probably be adopted by the committee; and what increased his objection was, that these barristers were to be paid by the crown; he should, therefore, if the House divided upon this question, be under the necessity of voting against the bill.

Mr. *Arthur Moore* said, that the bill did contain a clause with a view to the object of the honourable Baronet (Sir James Sinclair), by providing for the re-assembling of the committee after the evidence shall have been returned from Ireland, the Speaker being armed with power to issue his warrant for that purpose; at all events, the several minor difficulties which had been mentioned as likely to attend the operation of the bill would be provided against in the committee; at the present the principle of the bill was the only subject under discussion, and he fully agreed with the noble Earl (Temple), that it was a bill of considerable novelty and importance; but much as he admired the jealous pride and hereditary veneration with which the noble Lord deprecated any departure from the Grenville act, (which every one must admit to be the palladium of the privileges and independence of that House), he must differ from the noble Lord in thinking that this bill was in any essential point a deviation from

the principle of that bill, and still more must he differ from the right honourable Gentleman (Mr. Foster) in the opinion that the act under the discussion of the House took away the final decision from the committee, and gave it to the commissioners; on the contrary, he would contend that the whole tendency of the measure was otherwise. On all sides it is admitted that the alteration proposed by this bill is not the result of choice, but of necessity; and whatever opinions Gentlemen may entertain upon the policy of the late change in the political relations of the two countries by means of the union, there can be but one opinion that the inconvenience, or rather evil, now proposed to be met, is the natural and immediate consequence of that measure, a consequence foreseen and admitted while the union was under discussion, but for which it was reserved to the combined wisdom of the united Parliament to find a remedy, or apply a palliative; and the true question then will be, does the case admit of a complete remedy, and if not, is it possible to alleviate or diminish its practical inconvenience? The hardship that is felt arises from the necessity of having the whole matter of a controverted election tried and examined before a committee of this House at such a distance from the place, the representation of which may be in contest; and what is proposed by this bill is to allow under certain circumstances, and with many checks and qualifications, the committee to refer the investigation of the whole or any part of the facts, to certain persons in Ireland, who are to constitute a special commission for that purpose. But surely this cannot with any justice be called a departure from the Grenville act, the committee under that law being preserved throughout in all its forms and principles, and not only the ultimate decision remaining with them, but the power and direction of determining in the first instance, and at every intermediate stage of the proceedings, whether there shall be *any* examination of the facts in Ireland, and to what extent and on what particular points of the case; and even when they shall have permitted the enquiry before the commissioners, it still remains with the committee to control and direct their conduct; or to reject or adopt the evidence and opinion when certified to them. The substance and real principle of the proposed mode of trial is then in conformity to the Grenville act, and the only change is in the manner of taking and collecting the facts and evidence in the particular case; and though this has never yet been done or proposed under that bill, and is therefore

therefore a subject of parliamentary jealousy, it will be found to be a mere *formal* departure from that peculiar and very admirable mode of trial, and is certainly analogous to the proceedings in our courts of justice in many instances; and after all, it cannot be a subject of much or just complaint even in this House, that where the necessity of the case presses on the one hand, and the anxiety of the House to preserve its own forms and proceedings unrelaxed embarrasses us on the other, we should in the very deviation which we are compelled to make from the established practice, submit to be guided by the principles of those Courts whose jurisdiction embraces every other subject of civil controversy that can arise, except what relates to the privileges of Parliament. In all the proceedings in the courts of equity, the evidence is taken pretty much as is proposed here, not in open Court, but by persons appointed for the purpose, and as here it is transmitted in writing to the Court, but the examiners or persons taking the evidence, decide nothing in that case no more than it is intended they should in the case under discussion. What is the trial at *nisi prius* too but an emanation from the superior Courts, for the purpose of ascertaining a fact or facts? But the decision of the case itself remains until the return of the issue with the Court above, and the whole of the proceeding, the evidence, and the opinions of the Judge, are subject to its correction, rejection, or approbation. But it is objected, that in this bill the commissioners are to give their opinion on the evidence, together with the evidence itself. That is no more than what is done every day in the Courts of law, the Judge's opinion always accompanying his report of the trial; and in other instances the thing is not without precedent, the Court of Chancery frequently, in making orders of reference to commissioners of bankruptcy, or to masters, desires them to report the matter, and their opinion thereon; but that opinion is in no way conclusive any more than the opinion of the commissioners under this bill would be. An honourable Gentleman says, that the decision will be upon written evidence, and that the parties will not have the benefits resulting from a trial similar to the trial by Jury. The trial by a committee of this House differs very much from trial by Jury, the numbers are different; the decision is by the majority in the one case, but must be unanimous in the other: the Jury is chosen indifferently, but two of the committee are chosen by the parties. I cannot, however, think that the evidence taken in the manner proposed

can with propriety be called written evidence, for what is written evidence as distinguished from parole evidence? It is that which at its creation was in writing, and was not at any time delivered *vis et voce*. It is that which never had any existence but in deeds and other instruments, and never was communicated by oral expression. The evidence then which the commissioners are by this bill to certify to the committee of this House will not be *written evidence*, but *parole evidence committed to writing*, just as in the report of a trial at *nisi prius* the judge sets down in writing the testimony of the witnesses who have been examined, but still it is parole evidence. But the honourable Baronet is of opinion, that the case of the necessity for the alteration proposed by this bill is not made out, and he urges with much ingenuity the inconvenience arising from distance to be as applicable to some counties in England, and to all Scotland, as to Ireland, and therefore the honourable Baronet contends, that as those particular inconveniences never have been nor can be a ground for making any change in the mode of trial, so far as respects any part of the representation of Great Britain, neither can the change proposed be justified on similar grounds in regard to Ireland, which forms now a part of one general representation for the whole united kingdom. I think, however, that just as the observation may be, viz. that the inconvenience of a single county could not fairly be urged as an argument for any deviation from the Grenville act, yet that with respect to Ireland it is not the case of a single county, but the inconvenience applies equally; and without exception, to *the whole* of her representation, and that too in a degree certainly not to be compared with that of any county in England, even the most populous and remote from the capital. As to Scotland, the actual distance is the only point in which the parallel can be said to hold: the number of electors in all Scotland do not amount to as many as are to be found in the smallest county in Ireland; a few mail coaches would carry the voters for any county or burgh in Scotland to London. But it is really a serious consideration to say how you would bring the freeholders of any county in Ireland to attend a committee of this House; in some of which, I verily believe, the numbers are not much under 20,000, besides the difference between the uncertainties, delays, waste of time, and, of course, of money; in a *sea voyage*; and the celerity, certainty, and consequent comparative economy of land travelling, with the accommodation to be had in Great Britain. And in this view of the subject may

may be added, the consideration of the comparative disproportion of the means of the two countries to bear expence; and yet, if things remain as they are, an Irish county contested election will be attended with infinitely more expence than one for any county in Great Britain. Then if the necessity of having the evidence transmitted in certain cases from Ireland to the committee be established, the only remaining question will be, whether that object will be attained by this bill in the manner best calculated to answer the end proposed? and upon that part of the subject there has been but little objection made beyond what relates to the denomination of persons whom it is recommended to make the commissioners for taking and transmitting the evidence: it is proposed that they shall be barristers of a certain standing; and if impartiality, and the capacity and habit of investigating evidence be requisite qualifications, where can they be found in greater perfection than among that learned body; from the nature of their professional practice they cannot be supposed to be connected much with any of the parties, or to take any share in the broils and agitations of election contests; they are, in fact, a select body, it may be said, *cast*, in society, the persons from amongst whom the judges are to be taken, and whose character are to be the means of their advancement. And with respect to two of them being chosen by the parties, that happens every day in appointing arbitrators, and it is the case on the election committee itself, where the parties have their nominees, and which was justified on a late occasion by a right honourable Gentleman (Mr. Bragge) with so much ability, as to satisfy the House as to the propriety and prudence of that regulation. But it is said the barristers will not be independent, being to be paid out of the Treasury. How will that affect their independence? They will be paid by act of Parliament—not at the pleasure of the Ministers of the Crown, which would be the only way in which their being paid by the public could be supposed to make them dependent. This appointment or nomination will depend upon no one but the parties themselves and the committee of this House, and to the latter they will be exclusively responsible, when appointed; so that in no view of the subject is there any reason for considering them as objects of parliament jealousy or suspicion. This is my view of the principle of this bill: the several objections that have been made to particular clauses are more fit to be discussed at a future stage than on the present occasion. Every Gentleman will admit that

that something is necessary to be done; the union will not be complete till the Parliament shall have made some provision for the trial of Irish controverted elections. Nothing better, indeed nothing else, has been proposed; it can scarcely be called a deviation from the Grenville act, it is rather a new and more adequate application of its powers and its advantages. The principle of that admirable statute will remain unimpaired. With regard to opinions out of doors, I know that the plan of having the evidence in certain cases taken in Ireland, is, as far as I have had an opportunity of hearing the opinions of the Gentlemen of that country, very much approved of; and for myself I beg leave to say, that though I was a zealous and persevering opponent of the union of the countries, I feel it to be my duty, now that it is established, to support this and every other measure that may tend to facilitate its practical operation—" *Fieri non debeat, factum valet*;" and it is my sincere and ardent desire and hope, that all the benefits which were predicted as likely to be the result of that great measure may be speedily realized, and that its first effect may be to excite the dormant industry, and restore the long-lost tranquillity of Ireland, and to harmonize the interest of both countries, satisfied that it is only by mutual good-will and close connexion, their common freedom, happiness, and prosperity can be promoted and secured.

General *Walpole* called the honourable Gentleman to order, He thought the House were not now to hear observations upon the union.

The *Secretary at War* called the honourable General to order, and expressed his astonishment that he should have objected to the course which the learned Member was pursuing, than which nothing could be more regular.

The *Speaker* decided that Mr. Moore was within order, by calling on the learned Member to proceed, which he did, and supported the general principle of the bill.

Mr. *W. Wynne* said he should vote for going into a committee on this bill, but he thought many of its provisions would require amendment.

Mr. *Alexander* was also for going into the committee upon this bill.

Mr. *W. B. Ponsonby* thought the bill contained much objectionable matter.

Mr. *Corry* desired it to be remembered, that the vote about to be given by the House on this occasion was on the principle of the bill, and therefore he trusted he should be excused

cused for offering a single observation, and he should confine himself to the principle of the bill. It was said, that this measure was a violation of the principles of the Grenville bill. In his humble opinion, it was no such thing; it was to substitute a mode of trial by a select body of men, chosen by the House, and acting upon their oaths; and this was conformable to the principle of Mr. Grenville's bill, for that was a provision substituting a body of men to act in the room of a larger body; and instead of a loose decision which was formerly made by that large body of men, who were not acting upon their oaths, nor, perhaps, always so attentive as might have been desirable to the evidence before them, and who, in deciding on which, had been supposed formerly to be subject to some undue influence. Such was this bill. Also, with regard to parole evidence, this bill was likewise on the principle of the Grenville act. What was this bill, but a measure to empower a select body of men to hear parole evidence, and to act upon oath, to make a return, and to submit that to the House? That was the principle of the Grenville bill. The principal heads of this measure were such as spoke for themselves, and the rest were mere regulations, which might be discussed and altered in the committee, without affecting the principle. By referring the examination of witnesses to commissions, there would be a great saving of expence. But if any Gentleman thought that by passing this bill elections would all be tried in Ireland, that was a mistake as to the operation of the bill, and there was a part of the bill which he would read, shewing, that the committee would have to determine in what cases the matter should be inquired of in Ireland; it said, that upon its appearing to the said committee, from the nature of the case, and the number of witnesses, &c. the same cannot be inquired of by the committee without great expence; &c. it shall and may be lawful that the same shall be inquired of by commissioners, &c. in Ireland; and after all the provisions of this bill should be put in force, it would leave to the committee the power of deciding upon the whole of the matter; and all the proceedings were before parties and a body of men acting upon oath, and the question therefore was, whether it was for the furtherance of justice, and to the purity of election of representatives in Parliament, that such proceedings should take place; and the clause which was most objected to, made the nature of the written evidence still depend on that of parole testimony. If the opinion of the committee was with the

the

the written evidence, the committee would decide with it. If the case was one that hung in balance upon the evidence, the commissioners would give their opinions, and transmit the whole to a committee; and this was a course taken before by those who were chosen by the party themselves, and acting upon their oaths, and who were to judge of the credibility of the witnesses who gave their evidence. If it appeared that the opinion of the commissioners was in favour of the evidence, then it must be testimony that ought to be received and allowed; if doubtful, it ought to be received and finally judged of by the committee. If the opinion of the commissioners was against the evidence, then there was a further light given to the committee by the opinion of such commissioners being stated to them. Such was the outline of the bill and its leading provisions, and he trusted the House would determine to allow it to go into a committee.

Lord Cole said, that this bill was called a bill to lessen the expence of controverted elections. He was doubtful of its producing that effect, when three lawyers were to have the management of it.

Mr. Nicholls was proceeding to speak, when strangers were ordered to withdraw, after which the House divided,

For the Speaker leaving the Chair, . . . 58

Against it, . . . 11

Majority . . . —47

The bill then went into a committee, and a great many amendments were adopted.

The committee at length agreed to report progress, and ask leave to sit again; and the House having returned, the committee was ordered to sit again the next day.

The House having resolved itself into a committee to consider of defraying the expence of the trial of controverted elections in Ireland, came to a resolution to make provision out of the consolidated fund, if necessary, to defray the same. Report the next day.

Mr. Banks moved for an account of the income and expenditure of the Board of Agriculture, from the 25th of March, 1801, to the 25th of March, 1802. Ordered.

Mr. Banks brought up the report of the committee on Dr. Carmichael Smith's petition, which was ordered to lie on the table.

Mr. Banks moved that it should be printed.

Mr. N. Vansittart wished to know if the appendix was to be printed at length, as it appeared extremely voluminous.

Mr.

Mr. *Banks* said, those parts of it were marked which it was necessary to print, and would not be very long.

It was, however, agreed to print the report only, without the appendix.

Sir *Henry Mildmay* moved to discharge the order for leave to bring in a bill for the preservation of black game in the New Forest, on account of informality. Ordered.

Sir *Henry Mildmay* then moved for leave to bring in a new bill for the better preservation of heath fowl, commonly called black game, in the New Forest. Leave given.

He then brought up the bill, which was read a first time, and ordered to be read a second time the next day.

The volunteer corps bill and the militia adjutants bill were read a third time, and passed.

The report of the bill for allowing the army and navy to exercise trades, was taken into further consideration and agreed to, and the bill ordered to be read a third time the next day.

Mr. *N. Vansittart* brought up a bill for the better prevention of smuggling in Great Britain, which was read a first time, and ordered to be read a second time the next day.

Mr. *N. Vansittart* presented an estimate of secret service money, for nine months; an account of the expence of taking an account of the population of Great Britain, and several other accounts and estimates, which he moved should lie on the table.

Mr. *Robson* said, if it was intended to vote those sums the next day, he should certainly move that the House be counted.

Mr. *N. Vansittart* said, it was certainly his intention to give notice that these sums would be moved the next day, but the honourable Gentleman must pursue that course which he chose.

Mr. *Robson* then moved, that the House be counted, when, there being only twenty Members present, an adjournment took place.

HOUSE OF LORDS.

FRIDAY, JUNE 11.

The order for going into a committee on the Scotch militia bill was, on the motion of Lord *Hobart*, discharged, and a new motion made for its being referred to a committee of the whole House on Tuesday next.

Lord Hobart presented a message from his Majesty, stating the eminent services of Lieutenant-General Lord Hutchinson, Baron of Alexandria, expressing his Majesty's wishes to settle an annuity of 2000*l.* during his natural life upon the said Lord Hutchinson, and to secure the same to his two next heirs during the term of their natural lives; he, therefore, relying on the loyalty, affection, and attachment of his faithful Lords in Parliament assembled, called upon them for their concurrence with the other House to enable him to grant the same.

Lord Hobart said, the House had on so many occasions borne testimony to the merits of Lord Hutchinson, that it was wholly unnecessary for him to trouble their Lordships at large upon the subject. The noble Lord's services, his Lordship said, were undoubtedly eminent, and highly conducive to the glory and advantage of his country, he would therefore barely content himself with moving an humble address to his Majesty, assuring him that he might rely on their ready concurrence.

The address was read; and, on the question being put, agreed to *nemine dissente*.

Sir Matthew Buxham brought up a message, with a bill returned with the concurrence of the Commons.

Buxham's divorce bill went through a committee of the whole House, and on the report being received, ordered to be read a third time on a future day.

The Duke of Norfolk said, he understood a motion had been made that day, before he entered the House, to repeal the standing order, number 129, and notice given that it be taken into consideration on Thursday next, and the reason assigned was the indisposition of a noble and learned Lord. He rose, therefore, to give notice, that he would the next day move to discharge the said notice, and give a new one for the next day (Friday).

On the second reading of the debtors relief bill,

Lord Alvanley rose and said, there was in the bill a clause to which he had strong objections, it was a clause obliging a debtor, in fact, to give up all his effects to the creditor who took him in execution, and become, to all intents and purposes, a bankrupt, without having any of the advantages of the bankrupt laws. His Lordship expatiated on the other unjust conditions of this clause, which rendered his future effects liable to the seizure of that single creditor, to the prejudice of every other of the debtor's creditors. He said, his objections to every part of the clause were so strong, that he

did

JUNE 11.]

INDIA.

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did not see what amendments could remove them. He also spoke to the last clause in the bill, which he thought objectionable on more grounds than one, and said that upon the whole he did not mean to oppose the bill's going into a committee. It was committed for Tuesday next.

Several bills went through committees, and some were read a second time.

Adjourned.

HOUSE OF COMMONS.

FRIDAY, JUNE 11.

The accounts presented the preceding night by Mr. Vanstaart were withdrawn, on account of some inaccuracies, and others presented in their room, which were ordered to lie on the table, and to be printed.

Mr. *Dickenson* brought in the bill for suspending for a limited time the operation of the act of Henry VIII. respecting the residence of the clergy.

The bill was read a first time, and on the motion for the second reading.

Mr. *Calcraft* expressed a hope that the duration of the bill would not extend beyond January next, and that no time should be lost in preparing a great legislative provision to supersede the necessity of such temporary acts.

After a few words from Sir William Dolben, the second reading was fixed for the next day.

The foreign postage bill was read a second time, and committed for the next day.

The bill to repeal the six per cent. duties in Ireland, was brought in, read a first time, and ordered for the second reading the same day.

The consideration of the amendments made by the Lords in the English militia bill, was postponed till Monday.

The Irish linen manufacture bill was reported, and ordered to be read a third time the next day.

INDIA.

Mr. *Nicholls* moved for a copy of all orders and instructions given to Lieutenant Colonel Macneil, on marching the forces of the Company into the gardens of the late nabob of Arcot anterior to his decease, and of all other orders and instructions he received till he was relieved by Colonel Bowler.

Mr. *Wallace* did not rise to object to the motion, or with any view of now entering into the merits of the subjects to

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which the papers moved for referred. He thought fit, however, even on the present occasion, to state, in justice to those who had been so violently and so unjustly calumniated for the part they had taken in the business alluded to, that, after all the attention which he had been able to give to the papers already in possession of Government, these transactions in the Carnatic met with his unreserved approbation. The result of his most serious investigation had been, that these transactions were of that nature of which he would cheerfully take upon himself the responsibility. The right on which they were founded was agreeable to the most approved principles of the law of nations, and the manner in which it was asserted was consistent with that well-known humanity and generosity which so eminently distinguishes the British character.

The motion was put and agreed to.

Mr. *Nicholls* then moved for copies of letters addressed to Lord Clive on the same subject; which, together with a copy of the will of the Nabob of Arcot, were ordered to be laid on the table.

He then moved for a copy of all orders and instructions to Colonel Bowser when he superseded Lieutenant-Colonel Macnell; and all other subsequent orders, to the latest period to which they have been received.

The honourable Member, in moving for these papers, begged it to be understood, that he brought no charge against any individuals. The names of the Marquis Wellesley and Lord Clive he had never mentioned in the way of accusation; but his object was, that the transactions to which the papers referred should not pass over in silence. They were either proper and justifiable, or they were of a contrary description; and, in whatever point of view they were considered, they were equally deserving of the consideration of the House. On this principle he had moved for the papers, and he should, on that day se'night, submit a motion to the House, founded on the information they contained.

Mr. *Wallace* thought that, though every degree of diligence would be used for the production of the papers, yet they were of that description that it would be impossible to get them ready before the day fixed for the honourable Gentleman's motion.

Mr. *Nicholls* persisted in his determination to bring the subject forward before the close of the session, and was resolved, if he could not have the advantage of the papers for which

which he had moved, at all events to submit a motion to the House on the subject.

The paper was ordered, and the motion remained fixed for the day mentioned above.

Sir *H. Stacey* moved for a copy of a letter from the reputed son of the late Nabob of Arcot to his agent in this country.

Mr. *Wallace* answered, that there was no official copy of the paper in question.

After a few observations from the Chancellor of the Exchequer and Mr. Hobhouse, the honourable Baronet consented to withdraw his motion.

The bill for authorising the sale of the two Houses of Parliament in Ireland, was introduced, read a first time, and ordered to be read a second time the next day.

MESSAGE FROM HIS MAJESTY.

The *Chancellor of the Exchequer* brought up the following message from his Majesty :

“ G. R.

“ His Majesty having taken into his royal consideration the eminent services performed by Lieutenant-General the Right Honourable Lord Hutchinson, during the late glorious and successful campaign in Egypt, and being desirous of bestowing on him a signal mark of his royal approbation, doth give and grant unto him, and to the two next heirs in succession, to the title of Baron Hutchinson, of Alexandria, and of Knocklofty, in the county of Tipperary, a net annuity of 2000*l.* and doth recommend to his faithful Commons to consider of a proper method to secure the same, and for settling such annuity on the said Baron Hutchinson, and the two next heirs in succession, on whom such title shall descend, in such manner as may be thought most effectual for him and his family.”

The *Chancellor of the Exchequer* moved that his Majesty's most gracious message should be referred to a committee of the whole House the next day. Ordered.

A message from the Lords intimated that their Lordships had agreed to the South Sea fishery bill, to the Westminster coal bill, and to a variety of private bills.

The *Chancellor of the Exchequer* brought up an estimate of the probable expence of the increase of half-pay to officers in the navy, and of additional pay to warrant officers. He stated that the expence would be about 30,000*l.* for the remainder

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mainder of the year, and moved that it should be referred to
the committee of supply on Monday, which was done ac-
cordingly.

Mr. *Corry* brought up an estimate of the contingent charges
for the civil services of Ireland, which was referred to the
committee of supply on the same day.

Accounts of the value of imports and exports for Ireland
for ten years, ending the 25th of March, 1807, were
moved for, and, in a few minutes, presented by the proper
officer, and ordered to lie on the table, and to be printed for
the use of the Members.

SUPPLY.

The *Chancellor of the Exchequer* moved, that the account
of the bounties on corn and rice imported into Scotland; of
Exchequer bills issued on the credit of aids by Parliament
not provided for, &c. in the year 1800; of bills drawn on
New South Wales, becoming due in the present year; of
the estimate of expences for the repair of roads and bridges,
&c. in Scotland; of the expence of the Board of Agriculture;
of the Veterinary College; of the Sierra Leone Com-
pany establishment, &c. now before the House, be referred
to a committee of supply, which being ordered accordingly,
he moved the order of the day for the House resolving itself
into a committee of the whole House, to consider further of
a supply to be granted to his Majesty. The order being read,
he moved, "That the Speaker do now leave the Chair,"
which was carried, and the House having resolved itself into
a committee of supply,

The *Chancellor of the Exchequer* said, that before he pro-
ceeded to propose the resolutions which referred to the sever-
al estimates that day to be submitted to the committee of
supply, and other estimates previously referred to, he thought
it right to state, that it was not his intention to propose res-
olutions to the committee of supply in consequence of the esti-
mates which were presented the preceding night; he should
propose to bring them forward on Monday. They had refer-
ence to Dutch property at the Helder, to African settle-
ments, and other matters. The article of charge, to which
the first resolution referred, was for making up the defi-
ciency of the consolidated fund up to the 5th April, 1802:
Out of 3,100,000*l.*, the actual surplus of the consolidated
fund on the 5th of April was no more than 424,000*l.*, and
it was his duty, before he asked of the committee to come to
any resolution to make up the deficiency, to explain, as sa-
tisfactorily

tiaſtaſtorily as he was able, the cauſes that had occaſioned that deficiency. He then proceeded to ſtate the general heads under which the deficiency aroſe: the land tax, payments in advance made to a conſiderable extent for the Wet Docks, and other heads of expenditure, into the particulars of which, he ſaid, he was ready to enter, if neceſſary. He obſerved, that laſt year, when his right honourable Friend brought forward his budget, he ſtated a diſcount of five per cent., which it was agreed to allow the contractors of the loan for prompt payment, and which brought a large portion of that loan ſpeedily into the Exchequer. He obſerved alſo, Exchequer Bills were iſſued, in 1801, for which no taxes could be provided before April laſt, and the debt thus created in November laſt, upon which intereſt aroſe immediately, was another cauſe of deficiency. Another head of deficiency aroſe out of the ſuſpended payments from Grenada and St. Vincent's, and which was engaged to be received in the courſe of the preſent year. Theſe articles, taken together, made up a ſum of 2,943,256l. To this it was but fair to add the loſs ariſing from the ſtoppage of the diſtilleries. He was juſtified in ſuppoſing, at one time, that the diſtillers would be permitted by Parliament to open ſooner than Parliament afterwards, in its wiſdom, thought fit to grant that permiſſion. He thought they might have been allowed to open in October laſt, but for reaſons which he ſaw afterwards, and which he deemed to be ſufficient, it was wiſely determined that the diſtilleries ſhould not open until January laſt. For this loſs to the revenue he muſt take a conjecture, and he ſhould ſtate that at 400,000l. for it would be recollected that the diſtilleries were ſhut up at a ſeaſon of the year when they were the moſt productive. This, added to the amount of the other five items, created a ſum of 3,526,000l. To which was to be added the deficiency on the income bill, &c. &c. He then recapitulated the items to which he had referred, and explained the reaſon for the deficiency, on account of which the firſt reſolution was neceſſary; which reſolution was, That 2,676,080l. 17s. 10^d. be granted to make good the deficiency of the conſolidated fund. Perhaps it would be more convenient for him to abſtain from moving one reſolution before he ſhould have ſtated them all. The next reſolution applied to Exchequer bills outſtanding, and iſſued on the credit of the aids of 1800, the amount of which was 1,066,493l. 7s. 11^d. being the ſum paid out of the public money for foreign ſubſidies, &c. The next was for bills
drawn

512. WOODFALL'S PARLIAMENTARY REGISTER. [Continued]
 down on account of New South Wales, and which, being
 paid in the course of the present year, amounted to 20,000l.
 The next was for the importation of corn, malt, and rice
 into Scotland, which amounted to 22,082l. The next was
 for the repair of military roads and bridges in Scotland.
 The usual grant upon this head was 5000l.; in the present
 case it was proposed to grant 6012l. 14s. 1d. 1812l. 14s. 1d.
 paid by the executors of the late Sir Charles Preston. The
 next was the amount of the annual vote for the board of
 agriculture, which was the sum of 3000l. The next was
 for the support of the Veterinary College, which was the
 sum of 1500l. The next was for the support of the Bri-
 tish Museum, which was 3000l. The next was to the go-
 vernor and company trading to the Levant, &c. which was
 the sum of 5000l. He was now come to a resolution to
 which he was to call the attention of the committee; it was
 a sum of 11,81l. 16s. which he proposed to be allowed to
 Mr. James Edwards, on account of a forfeiture he incurred
 by means of the non-payment of instalments to be made by
 him, pursuant to his engagement on the loan of 1795. The
 sum of 11,081l. 16s. which he actually paid, became forfeited
 to the public by reason of the non-payment of the remainder.
 The particulars of the case of Mr. Edwards were to be found
 in the report of a committee to whom this matter was re-
 ferred, and which report was now before the House. He
 presented a petition to Parliament last session; it was not
 then proceeded in, and it was fair he should say, that the
 omission was chiefly owing to himself; he, from the variety
 of subjects he had to consider, was unable to bestow on this
 that attention which was requisite to enable himself to be-
 come master of it; the business was therefore not proceeded
 in last session. In the present session the petition was taken
 up again and referred to a committee: that committee had
 fully investigated the matter, and the report of that com-
 mittee was now upon the table of the House. The short
 statement of the case was this: Mr. Edwards was a sub-
 scriber to the loan of 1795; he paid the proper proportion
 of that loan as the first instalment, but, from ill health, he
 was induced to go out of the kingdom; he left the money at
 his banker's for the purpose of making good the remaining
 payments as they became due; he left the charge of the man-
 agement of this business with a near relation, who was an
 aged parent, and who happened to be very infirm. When
 these instalments became due, they were not paid, by which
 Mr.

Mr. Edwards incurred the forfeiture of this sum of money: this was not owing to any fault in Mr. Edwards, but to his misfortune, arising out of the infirmity of his parent. The object of this resolution was to restore to Mr. Edwards the sum he had thus forfeited, and as it was not forfeited by his own negligence, he hoped the committee would be of opinion he had stated a case which constituted a claim, not merely on the liberality, but also on the justice of the committee. He should therefore move, that the sum of 1108l. be allowed to be paid to Mr. Edwards, on account of money advanced by him on the loan of 1795, and forfeited for want of future payments, &c. But he should now desire that all the other resolutions, the substance of which he had stated, should be put in their order. He then moved, "That a sum not exceeding 2,676,600l. be granted to make good deficiencies of the consolidated fund, &c." which was put and carried, as were also the following resolutions for the following purposes:

For the payment of Exchequer bills for the year 1800, by way of aid for foreign subsidies, &c.

£. s. d.
1,066,493 7 12

For the amount of bills drawn on account of New South Wales, to become due in 1802,

30,000 0 0

For the importation of corn, meal, flour, and rice into Scotland, in the year 1802,

22,082 9 8

For repairing military roads, bridges, &c. in North Britain, for the year 1802,

6012 14 1

For the expence of the Board of Agriculture, for 1802,

3000 0 0

For the support of the Veterinary College, for 1802,

1500 0 0

For the support of the British Museum, for 1802,

3000 0 0

For the support of the Levant trade, for 1802,

5000 0 0

To pay Mr. Edwards money advanced by him on the loan of 1795, and forfeited for want of future payments,

1108 0 0

These resolutions being carried,

Lord Castlereagh proceeded to call the attention of the committee to the subject of the Sierra Leone Company; a

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company

company which, he said, had long been favoured by the protection of Parliament, so much so as to make it unnecessary for him to go into the ground of its institution, or any detail of its rise and progress; but he trusted the committee would indulge him with its attention while he made a few observations on the vote which he should submit to the committee. First, he should beg leave to observe, that in looking to the general policy of this institution of a company at Sierra Leone, he trusted the committee would not consider the question of the propriety or impropriety of the abolition of the slave trade as connected with the progress of this company. The question he should submit to the committee was in no degree connected with the abolition or the continuance of the slave trade. Indeed, in the present condition of things, the most earnest advocates for the abolition, or the most zealous friends to the continuance of that trade, had nothing to apprehend from the motion he was about to submit to the committee, nor did he see that the trade was likely not to continue, at least as long as the institution of this company could be supported by any vote similar to that which he was about to propose for its extension. For these reasons, he trusted that the committee would look at this institution with a view only to its own merits, and not mix with it any consideration of the slave trade, a subject on which, he observed, there was a great variety of opinion in that house. The object for which the company was originally instituted, had in a great measure failed; and it became an object now to cultivate certain lands upon the coast, and we had the comfort to reflect, that many of the productions of this country would grow there. The committee would be aware; that in an infant colony like this, cultivation must precede commerce, and before trade could be carried on there, it must be the object of the company to improve the soil of the country, and, for this reason, Gentlemen should not be discontented with this institution, merely because they did not find our imports or our exports enlarged by its means, for no effect of that kind could be produced before considerable cultivation took place. There was another point to be attended to in the consideration of this subject, and which would lead Parliament to encourage the plan of this institution—and that was, the improvement of which the natives had proved themselves to be capable, by means of education. It appeared to have a great influence on their minds. A Gentleman, who had observed upon this subject, had declared,

clared, he was astonished at the progress that had been made among them—so much so, that he declared he did not believe that greater progress would be made by those who were instructed in the same manner in this country, in reading, writing, arithmetic; and some of them in navigation. It was reasonable to suppose, that the progress of improvement among them would be great; they were fond of it. To prove this, he stated, that an individual among themselves, having improved himself here, went back to them, and the inhabitants brought their children to him, with great avidity, in order to have them instructed. He therefore thought, that a cultivation and improvement of the minds of the Africans would be advantageous to this country, and indeed in time to Europe, but most immediately to this country, by means of the company to which he was now alluding; and the measure he had to propose, he trusted, would appear to the committee, as it did to him, on the best investigation he could make into the subject, that which would give security to the colony in future. The noble Lord then proceeded to observe, that a body of men had been brought from Nova Scotia to the number of 1200, and another body of 550 Mad roons had been brought to this colony, which had incurred an expence of 10,000*l.* and which required to be provided for. In a word, there was now no medium between voting the sum which he should propose, to put the company in a proper situation to go on, or in giving the colony entirely up; there was no middle course, nor was there any saving to be expected by giving up the colony; and therefore as a question of economy, supposing future policy to be out of the question, the resolution he should propose was fit to be adopted. He concluded with moving, That 10,000*l.* be granted for defraying the charges of the Civil Establishment of the Sierra Leone Company, &c.

General Gascoyne could not approve of granting so large a share of the public money, on the grounds of a report so extremely unsatisfactory as that now on the table. After the experience of eleven years, it was now proved that the company had totally failed in the objects they professed to have in view. They had neither succeeded in civilizing any considerable portion of the natives, nor had they made any progress in exploring the interior of the country. Hitherto this country had derived no advantages from the establishment, but such as consisted in the exportation of pie and British spirits. The only improvement in the manners of

the natives, was in the taste they had acquired for brandy, which was almost the only kind of specie which the company employed. A great deal had been said of the healthy situation of the settlement; but the number of deaths which had taken place, particularly among the soldiers provided for its defence, led to a very opposite conclusion. If it was contended that these deaths took place in consequence of perpetual inebriation, this only more strongly evinced the immaturity of the colony. A college, it seems, was to be formed in this settlement; and the public were to be called upon to defray the expence of an establishment for the united benefit of the lank-haired Methodists of England, and the woolly-haired Timmanies of Sierra Leone. He begged the House seriously to consider the nature of the report, before they thus lavishly voted away the public money.

Mr. Dent was on the same side, and contended that experience had fully demonstrated the impracticability of the projects of the company. This was the decided opinion of the public at large. Shares in the establishment were now considered as of almost no value, and those for which 50*l.* had been paid, were now selling so low as 5*l.* If the company had failed in their commercial projects, their success in converting the natives was not more encouraging. Their morals had gained nothing under the management of the company's missionaries; and he could not help thinking that it would be quite as well to suffer them to go to heaven in their own way.

Mr. Law thought it impossible for any unprejudiced man, who had read the report of the committee relative to this subject, to conceive that this colony could go on and prosper, he was of opinion that the settlement had better be withdrawn.

Mr. H. Thornton, in a very neat speech, vindicated the company, and supported the character of the establishment. When Gentlemen complained so loudly of the ill success of the company's views, they ought to consider well the difficulties with which they had been forced to contend. The establishment had originated in a period of peace, and it was to the direct or indirect influence of the war, that the failure of their views was in a great degree to be attributed. Every one knew that to establish a colony was the work of no ordinary industry and perseverance. It was well remarked, by no less a philosopher than Bacon, that he who would establish a colony, must possess no common portion of patience.

Difficulties

Difficulties the company had experienced of the most formidable kind; but these had not driven them to renounce the grand object they have in view. They had renounced, indeed, all prospect of profit, but they had not given up the great design of endeavouring, by their exertions, to introduce some portion of light into a quarter of the world which has been for ages the seat of ignorance and barbarity. The efforts of the company to eradicate the superstition of the natives, had been ridiculed; but in his opinion, without the smallest portion of reason. The wisest legislators, and the most celebrated writers, agreed in this position, that the introduction of knowledge must ever precede civilization. The superstition of the natives was the source of every enmity, and of every crime. In proportion as it declined, the company could alone hope to accomplish their great object, of introducing among the natives the benefits of commerce, or the blessings of religion. The mortality prevalent in the settlement was complained of, but not with greater reason or truth. To prove this it was only necessary for him to state, that out of 1100 Nova Scotia settlers, one-tenth had died on their first arrival, and there now remained about 90, which proved that for several years they had nearly kept up their numbers. He threw out these hints in reply to the objections of Gentlemen on the other side; but he wished the claims of the company to support, to rest on the facts contained in the report.

Sir Robert Buxton thought the colony had hardly had a fair trial, and that the House would not do justice to themselves if they did not promote the object of the establishment.

After a few more words from Mr. Dent, Mr. Law, and Mr. Thomson,

The Chancellor of the Exchequer said, the success of this establishment was undoubtedly precarious; but the success in every instance of this kind must be necessarily precarious. He never entertained but one opinion of the motives of those Gentlemen who had set on foot this establishment. They had embarked in it without any hope of remuneration, but only with the hope of doing good. It was impossible not to be highly gratified, with even the possibility of introducing those benefits among the natives of Africa, which it was the object of this establishment to produce. It was to be considered, at the same time, that the port of Sierra Leone afforded a protection to our ships which was not to be found on any other part of the coast of Africa. He considered himself as warranted upon public grounds, in supporting this proposition.

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The question was then put, and the resolution agreed to.

Mr. Rose moved, That, to defray the expence of repairing the church of St. Margaret's, Westminster, there be granted £,500l.

After a short conversation between Mr. Banks, the Chancellor of the Exchequer, Sir Robert Buxton, and Mr. Rose, the resolution was agreed to.

Mr. Corry moved the sum of 30,000l. to defray the expence of Irish Yeomanry Corps till the 24th Dec. 1802.

This motion being agreed to, the house was refused, and the report ordered to be brought up the next day.

The Chancellor of the Exchequer gave notice, that in the committee of Supply on Monday he meant to move the extraordinary of the army, together with the estimates of miscellaneous service laid before the house the preceding night. He intended likewise to move that five millions be raised by Exchequer bills, to be charged on the first aids granted next Session of Parliament. He should then, in the committee of Ways and Means, give a detailed statement of the sums voted during the Session, and the funds to answer them, so that by comparing the one with the other, the House might have a complete view of the financial proceedings of the present session. He concluded by moving the order of the day, for the House now going into a Committee of Ways and Means.

Mr. Foster wished to know what was the object of the Committee of Ways and Means that evening.

IRISH BUDGET.

The Chancellor of the Exchequer said he should propose in the committee several resolutions, and he understood that his right honourable Friend (Mr. Corry) intended to propose some resolutions respecting Ireland.

Mr. Foster said he had great objections to the Irish Budget being now opened, as several very important papers for which he had moved had not yet been presented. However, he was so averse to do any thing that might have the remotest tendency to embarrass Ministers, that he should not make any motion upon the subject, nor even offer a request.

Mr. Corry said, he had given repeated notices of bringing forward the Ways and Means of Ireland. Nothing had been wanting on his part, but he had put it off from day to day, in consequence of papers having been moved for by several members, which he thought it necessary to wait for, because he wished the House to examine, and, if he might be allowed to use the expression, to understand the whole of
this

this subject thoroughly. These were the motives which had influenced his conduct, and he trusted he should stand excused to the House for having acted as he had done. He wished also to state, that though the charges of the two countries were joint to a certain degree, yet their expences were divided; it seemed to him to be necessary to wait until an advanced period of the session, and to follow his right honourable Friend, who was to state the Ways and Means for Great Britain. He had given notice of his intention of bringing forward the Ways and Means for Ireland on that day, thinking that his right honourable Friend would have brought forward the Ways and Means for Great Britain on that day, and he could now, without any difficulty, go on with the statement of which he had given notice: but in consequence of what had fallen from the right honourable Gentleman behind him, he was very willing to give him any opportunity that he could consistently with his duty, of stating whatever he thought necessary upon the subject of the finances of Ireland. Nothing could be more agreeable to him personally, and he was sure to the Government of this country and of Ireland, than that the fullest information should be given to the house upon this subject, and therefore he would willingly consent to postpone his statement till Monday. He wished, however, to make one observation before he sat down; he hoped the house would not go away with an idea that any of the inaccuracies which had been noticed in some of the accounts which had been presented, went to affect the substance of those accounts. The great accounts that related to the Exchequer, were unarraigned and unquestioned, and upon those alone he meant to found his statements—they were supported by the concurrent testimony of so many great officers in that country, that he could now, with great ease, go into the statement. With regard to the appendices, and those inferior accounts in which those inaccuracies appeared, they arose from the new mode which had been adopted in that country of making up the public accounts. He would now consent to postpone his statement till Monday, but certainly not beyond that day.

Mr. Foster expressed his acknowledgments to the right honourable Gentleman, and said, he did not wish to put it off beyond Monday.

The order of the day being read for going into a committee of Ways and Means,

The *Chancellor of the Exchequer* moved to refer several accounts to the said committee. Agreed to.

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The House then resolved itself into a committee of ways and means.

The *Chancellor of the Exchequer* said the first article to which he had to draw its attention was the estimated surplus of the consolidated fund on the 5th of April, 1803. He intended, under this head, to take credit for 4,500,000l. The permanent taxes for the year ending 5th of April 1802 had produced 22,596,000l. From this he had to deduct for Exchequer bills charged upon the supplies of the year 2,030,000l. The remainder was 20,566,000l. To this sum there was to be added what had not been received, he meant the loss from the stoppage of the distilleries, and the sum paid for the bounty upon corn. For the latter there had been paid 1,800,000. ; and he estimated the loss from the stoppage of the distilleries at 700,000l. making together 2,500,000l. To this was to be added the produce of the taxes of this year. Their gross produce, when they had come to maturity, was estimated at 4,000,000l. and he expected to be considerably within bounds in taking their produce for the 3 quarters ending 5th April, 1803, at 2,400,000l. These were conjectural, but the next items were certain, viz. 2,500,000l. arrear of the income tax, 300,000l. arrear of several smaller taxes, and 1,300,000l. arrear of the unredeemed Land tax. So that

The permanent taxes producing	-	-	£. 20,566,000
Distilleries and corn bounties	-	-	2,500,000
New taxes	-	-	2,400,000
Arrear of income tax	-	-	2,500,000
Miscellaneous taxes	-	-	300,000
Unredeemed land tax	-	-	1,300,000

The Income of the Year would amount to 29,566,000

Against this he had to oppose the charges upon the fund which all came under four heads :

The funded debt	-	-	21,444,564
Interest, &c. of the Loan of the present year	-	-	875,437
The Civil List, and pensions charged upon it	-	-	1,220,721
Imperial annuities	-	-	497,596

Total 25,038,318

Which being deducted from 29,566,000

Left a remainder of 4,527,682

June 11.]

IRISH BUDGET.

1801

It was painful still to call for a legislation under the head of imperial annuities, but he was happy to state that means had been taken which he hoped would be effectual for the liquidation of the debt. A strong representation upon the subject had lately been made to the Imperial Minister at this court, and though the answer returned was not altogether satisfactory, as could be with a bill it could not fail to give considerable pleasure. The right honourable Gentleman here translated a part of Count de Saxeberg's note, stating that his Imperial Majesty hoped Great Britain would see and appreciate the causes which had prevented the payment of this debt, and reckon with confidence upon the solemn assurance which his Imperial Majesty had repeatedly given, and that the court of Vienna would not cease its efforts to bring the finances of such a state as to enable it to satisfy the just demands of England. The Chancellor of the Exchequer remarked, that while a due determination was evinced to enforce our claims, he hoped that some allowance would be made for the situation of Austria. Her losses during the war had been very great, and she had not the same means as this country of raising a sum of money upon any emergency. Her good faith, and even the dignity of the Emperor, were pledged to us, and he made no doubt we would not have any reason to regret having assisted her at a period of difficulty. He should next move, that 1,500,000*l.* should be raised by exchequer bills, to be charged upon the first aid granted next session of Parliament. He was in hopes of being able to liquidate and discharge the whole three millions which had been advanced some years ago by the Bank; but it had been found necessary to make a proposal, in which the directors had acceded, of paying off one million only in cash, and the other by exchequer bills. These, however, would not be put into circulation, and could not injure the market. Of the 300,000*l.* voted last session to Portugal, only 200,000*l.* had been advanced, and he should move that the remaining 100,000*l.* (which, however, had been a little diminished by the expence of transporting the rest) as part of the ways and means. The last article was 114,000*l.* of the surplus grants of the last session. He should receive himself for the financial statements, of which he had given notice for next Monday, when he should clearly prove the insufficiency of the country for its present burthens. The right honourable Gentleman concluded by moving, that, towards raising the

supply granted to his Majesty, the sum of 4,500,000*l.* should be applied from the surplus of the consolidated fund.

This resolution being agreed to, was followed by three others; voting 1,500,000*l.* to be raised by exchequer bills; 99,887*l.* out of the subsidy granted to Portugal; and 114,000*l.* surplus grants—altogether 6,213,887*l.*

The report to be received the next day.

Mr. *Vansittart* presented a petition from the African company, praying for pecuniary assistance. Ordered to lie on the table.

The Dutch property and British fishery encouragement bills went through a committee, and the report was ordered for the next day.

Also the hackney coach and post-horse duty bills.

The Irish controverted election bill was re-committed, the report received, ordered to be printed, and to be taken into further consideration on Monday.

The report on the Irish Chancellor's salary was received, the resolution agreed to, and a bill ordered pursuant to the same.

The alien bill was read a third time and passed.

The bill for preventing smuggling was read a second time and committed for the next day.

The other orders of the day were then deferred and the House adjourned till the next day.

HOUSE OF LORDS.

SATURDAY, JUNE 12.

Mr. Adam was heard in reply in the appeal, *Mortmain* and *Johnstone v. Cadell*, which finally closed the hearing. The Lord Chancellor then took a summary view of the merits of the cause, and fixed Monday se'night for pronouncing the judgment.

The Earl of *Suffolk*, in the absence, and at the request, of a noble Duke (*Norfolk*) moved to discharge the order which stood for taking the repeal of the 129th standing order, on Thursday next, into consideration, and moved a new order for Friday, and that the Lords be summoned. Ordered.

Several bills were read a third time, and passed.

The national debt bill, the alien bill, the West India docks bill, the Dublin water works bill, and the Irish linen bill, were brought up from the Commons, and presented by Mr. Alexander and others, and read a first time. Adjourned.

HOUSE

HOUSE OF COMMONS

SATURDAY, JUNE 12.

A message from the Lords informed the House that their Lordships had agreed to the cotton apprentice bill, the Irish militia subaltern bill, and some other bills. The message farther intimated that they had passed Bonham's divorce bill.

This last bill was read a first and ordered to be read a second time.

The public account regulation bill was read a third time and passed.

Mr. *Corry* brought in a bill for increasing the salary of the Lord Chancellor of Ireland, which was read a first time, as was a bill brought in by Mr. Secretary *Yorke*, for granting an allowance to innkeepers, for soldiers.

Colonel *Fallarton* rose to move for leave to bring in a bill to better the condition of the schoolmasters in Scotland; but at length agreed to defer the motion till a resolution to that effect had been submitted for adoption in the committee of supply.

Mr. *Johnstone* presented a petition from the maltsters of Epsom, against the last tax on malt, hops, and beer. It was ordered to lie on the table.

Mr. *Fanshawe* obtained leave to bring in a bill for the more effectual prevention of deer stealing. The object of the bill he stated to be to subject to the punishment of imprisonment any persons shooting deer in open chase, and to punish with transportation those who should steal from enclosed places.

The bill was immediately brought in and read a first time.

Mr. *Tierney* moved for an account of the unfunded debt on exchequer bills outstanding on the 5th inst. with an account of the funds in which they were charged, and the probable estimate of the sufficiency of such funds. The account was ordered.

POOR RATE.

Lord *Sheffield* said he had given notice of a motion for leave to bring in a bill to direct parish officers to make a return of the total sum of money raised in each parish by assessments, under the name of poor rate, in the respective years, ending at Easter 1800, 1801, and 1802; at what rate in the pound they were made, and how much of the money collected was applied for the payment of county rates. He observed that the poor rates have most alarmingly increased within

within a very few years, and since the last return, and that it was become by far the greatest tax of any kind existing in this, or any other country; and that there could be no doubt of its amounting to considerably more than half the rental of England during the two or three last years. But, that we might not depend on vague assertion, he wished that the correct amount should be known to the Legislature, and that it might be seriously considered whether some relief cannot be given to the country; and also, whether the management, and raising such enormous sums, and also the expenditure, without any thing worthy the name of controul, should be entirely left to the present incompetent hands. It is well known that parish officers are appointed, whether fit or not, because it is the turn of their house or farm, and that frequently they can neither read nor write. He did not intend at present to propose any measure, but simply to obtain information, on which some measure might be founded.

Mr. *Shaw Lefevre*, after expressing his surprise that so important a measure should be brought forward at such a late period of the session, signified his firm determination to oppose it even in the outset. He entirely agreed with the noble Lord, that the poor rates were extravagantly high, and that they ought to be diminished. Returns of the amount of these rates for the two last years, obtained at a vast expence, would merely prove what was thus admitted. We could also, without the aid of these returns, assume that the war and its contingencies, together with a scarcity bordering on famine, had greatly contributed to this distressing evil: but what other information will such returns afford, except in publishing our disgrace, in certifying that we lavish such wealth upon parochial expenditure. Surely some strong ground should have been laid for this motion; we should have been made acquainted with its object, and with the superstructure to be erected on such an extensive foundation. How does the noble Lord mean to follow it up? What are his farther views upon this subject? I see nothing but increased trouble, anxiety, and uneasiness saddled on the overseers; and they ought rather to be regarded, after their late exertions to provide for and to satisfy the poor; they have done their duty, and more than their duty by the poor, and ought not, therefore, to be unnecessarily harassed by returns in consequence of such motions. In short, the fact which is sought by this inquiry is admitted; no proceeding upon it is detailed to the House; indeed, so far from being detailed, I wish it had originated

JUNE 12.]

HIS MAJESTY'S MESSAGE

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originated in a committee up stairs, without being thus crudely ushered into the House. Besides, the session is far advanced; many Gentlemen conversant in matters of this sort have left town, and at such a period it would not be fair to bring on a question, in the discussion of which they are all so deeply interested. On these grounds, if the noble Lord should not be disposed to withdraw his motion, I shall in every stage oppose it, anxious at the same time to offer my individual support, in case any measure, founded on the enormous amount of poor rates, should be brought on by the noble Lord during the next session.

Lord *Sheffield* explained, that the mode he proposed was much more simple than those of 1776 and 1786. He was surprised to hear objection made to obtaining information; that all agreed it was absolutely necessary to do something, and surely the groundwork of the inquiry should be a correct statement of the sum to be raised. The honourable Gentleman had said it would alarm the country; he, on the contrary, was of opinion that the country would be highly gratified, because it would be an earnest that Parliament meant to proceed in that momentous concern. Instead of alarming the public, he meant to alarm the Legislature, and to bring before them the absolute necessity of not suffering the country to groan under such an intolerable grievance. It was very ignorantly supposed that the high price of corn had made amends to the farmer for the great increase of the poor assessments; that in the greater part of England it was by no means the case; that he knew large districts of many parishes where the average poor rate amounted to 18s. 6d. in the pound on rack rents; and it was well worthy the attention and consideration of Statesmen, how this unprecedented burthen can be lightened, if it were only for the purpose of enabling the people better to bear the load of other taxes, unknown in any other country.

After a few words from Mr. Tierney and Sir R. Burton, who were against pressing the subject at present, his Lordship consented to withdraw his motion.

HIS MAJESTY'S MESSAGE.

The House having resolved itself into a committee on the message relative to a pension to be conferred on Lord Hutchinson for his eminent services,

The *Chancellor of the Exchequer* rose, and delivered a very just and elegant eulogium on the splendid services of this gallant officer, and enlarged on the extent of his claims to some

some signal mark of the national gratitude. This subject has, in a variety of former instances, come either directly or indirectly before the House, and therefore it is unnecessary to enter into any detail on the present occasion. The circumstances of Lord Hutchinson, he stated to the committee, were now far from being adequate to the due support of his dignity, or the maintenance of an establishment suitable to the high honours which he had received. The sum proposed, he was convinced, the committee would not deem too large, and he was convinced that they would concur in the propriety of fixing the date of the pension from the time of the surrender of Alexandria. He concluded by moving a resolution—

That there be given to Lord Hutchinson, and to the two next heirs to whom the title may descend, a net annuity of 2000*l.* out of the consolidated fund.

The resolution was agreed to; and it is understood that the date of the annuity shall be from the 2d of September 1801.

The House resumed, and the report was ordered for Monday.

In a committee of the whole House on the report of the booksellers petition, it was resolved to reduce the duty on paper of 5*d.* per pound now chargeable on paper of the first class to 3*d.* and to add one halfpenny on paper of the third class, now made the second class. The report was ordered to be received on Monday.

The House in a committee agreed to take off the duties on blubber, oil, &c. imported into this country, and to lay a duty of 11*s.* 3*d.* on every ton of blubber of 252 gallons, and 16*s.* 10*d.* on every ton of oil.

On the motion of Mr. Vansittart, the allowance of salt for curing pilchards was agreed to be increased.

A variety of bills were forwarded in their respective stages; and after a considerable deal of routine business, the House adjourned.

HOUSE OF LORDS.

MONDAY, JUNE 14.

All the bills on the table passed a stage each.

Lord *Suffolk* rose to call the attention of the House to a paper which he held in his hand, and which was the account which had been presented to their Lordships, of the amount of

of the sale of old naval stores, in pursuance of a motion made by him on a former day. He was sorry to observe, that this paper did not give him the information he desired; it only stated that the money arising from the sale of naval stores amounted to 53,000*l.* and that the pensions chargeable thereon amounted to 7,000*l.* But it did not state the manner in which the remainder of that money was appropriated; nor whether this money arose from the sale of stores at any particular port, or in all the different ports throughout his Majesty's dominions. It might be a return of the sales made in Great Britain only, whereas it was well known that there were naval arsenals in Ireland, in Gibraltar, in the West Indies, &c. where naval stores were sold. He supposed from the manner of the noble Secretary of State opposite to him, that he was likely to receive an answer to what he wished to be informed upon; he would therefore move for a return of the money arising from the sale of old naval stores since the year 1800, in all the arsenals in his Majesty's dominions, specifying the places where stores were sold, together with the quantity sold at each particular place.

Lord Pelham said he did not mean to decline giving an answer to the noble Lord, but he did not wish to interrupt him by doing so while he was addressing the House; now that the noble Earl had sat down, he would inform him, that the account on the table was a regular return to the address of that House, pursuant to the motion that had been made; for his own part, he did not know whether the account took in all the different places which the noble Lord wished to have returns made from; but that could be soon ascertained by an enquiry at the offices. With respect to the application of the 46,000*l.* which remained, after the granting of pensions to the amount of 7,000*l.* he had only to observe, as he had stated before, that it was regularly accounted for by the treasurer of the navy, and was applicable to the public service equally with any other fund.

Lord Holland said, if it was not considered a kind of culpable curiosity in him, he would wish to know how the money granted in pensions was applied. The more he examined the subject of pensions, and the greater the number of motions for the production of them was, the more he was convinced that Mr. Burke's bill had been grossly infringed on. By that bill it had been intended that all pensions should be paid out of the civil list. The attempt to exonerate the civil list by paying pensions out of other funds, was, in his opinion,

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opinion, a fraudulent evasion of the spirit of what was
known by the name of Mr. Burke's bill, and he would here-
after take every opportunity of moving for the amount of
pensions, none of which, in his opinion, ought to be granted,
except from the civil list.

Lord *Pertham* said, he had no objection to comply with the
motion of the noble Lord.

The Lord *Chancellor* observed, that if the motion was put
in the form in which it stood, the same return might be
made as that of which he complained; he would therefore
suggest, as an alteration, that besides an account of the sums,
there should also be made a return of their appropriation.

Lord *Suffolk* thanked the noble and learned Lord for his
suggestion, which was adopted, and the motion was agreed to.

After receiving some bills from the Commons, the House
adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 14.

The Lords' amendments to the English militia bill were
referred to a select committee.

The mutiny bill, the marine mutiny bill, the clergy pro-
secution suspension bill, and the miners' militia bill, respec-
tively went through a committee, and were ordered to be
reported the next day.

The hackney coach bill and the Dutch property bill were
read a third time and passed.

Bills were ordered upon the reports of the different com-
mittees which sat on Saturday, on the blubber duties, &c.

The Irish Chancellor's salary bill was read a second time,
and committed for the next day.

A bill to raise 1,500,000*l.* by exchequer bills, a bill to ex-
plain the post-horse duty act, a bill to regulate the revenues of
the Isle of Man, and a bill for granting 200,000*l.* towards
the extinction of the national debt, were brought up, read a
first time, and ordered to be read a second time the next day.

Mr. *Foster* rose, in pursuance of his notice, to call the at-
tention of the House to the general orders issued from the
Adjutant General's office in Dublin, about the Irish militia.
He contended that the men here declared to be free to enlist,
were the property of the counties. They had been engaged
to serve for a term, not yet expired, and might be reclaimed
wherever they were found. He concluded by moving an
address

address to his Majesty, praying that he would be graciously pleased to give directions that there be laid before the House copies of the general orders issued from the Adjutant General's office in Dublin, on the 19th of May, and of the paragraph of the circular letter there alluded to.

Mr. *Lee* expressed great surprise at this subject having been brought before Parliament. In his opinion these orders were the wisest and best ever framed. The militia-men were almost all entitled to their discharge. The laws with regard to the Irish militia were in the greatest confusion, and it was very bold in the right honourable Gentleman to affirm that the Irish Government had done an illegal act.

Mr. *Wickham* said, he should the next day state to the House the information he had received upon this subject; and it would then appear that the Irish Government had been acting in strict conformity to law. If the present motion were persisted in, he should not oppose it.

Mr. *Dawson* spoke, and Mr. *Lee* explained.

The *Chancellor of the Exchequer* said, it was not wonderful that confusion had arisen. The militia was in Ireland an infant institution, having only been introduced in 1793. Since that time upwards of seven acts of Parliament upon the subject had passed. All these men imagined that they were entitled to be discharged; and in the present circumstances of Ireland it might have been imprudent to disappoint their hopes. The papers in question, together with some others, would be laid upon the table the next day, by command of his Majesty.

General *Gascoyne*, Mr. *Lee*, and Colonel *Bagwell* spoke.

Mr. *Foster* persisted in his motion.

The *Chancellor of the Exchequer* said, he would in that case move the previous question.

Mr. *Foster* then consented to his motion being withdrawn.

Mr. *Wickham* gave notice that he would the next day move for leave to bring in a bill to remove doubts which have arisen upon the construction of the Irish militia acts, and to indemnify counties against any loss they might sustain in consequence of certain militia-men being discharged.

The *Speaker* gave notice, that during the remainder of the week he would attend at three o'clock for the purpose of taking the chair.

The House then went into a committee of supply, when the following sums were voted, on the motion of Mr. *Sergeant*:

For the ordinary expences of the navy for seven tenar		
months, from the 8th of June	—	£.657,216
Extraordinary	—	360,233
Transports and prisoners of war	—	608,540
Sick prisoners of war	—	12,000

The *Chancellor of the Exchequer* said, he rose to move the remaining votes of supply for the present year. The first article was 199,812l. the amount of the valuation of the Dutch ships which surrendered to Vice-Admiral Sir Andrew Mitchell, in the New Deep, on the 30th of August 1799. It would be recollected that soon after the English troops landed in North Holland, our commanders required the Dutch ships of war to hoist the Orange flag. The crews were willing, but the officers refused, and, finding resistance ineffectual, surrendered prisoners of war. The ships were claimed by the captors as prizes. His Majesty, without deciding the point, or referring them to a Court whose judgment might have been unfavourable, held out a hope to them that, at all events, their expectations would be gratified. Their meritorious services certainly well deserved this mark of favour, and he was sure the House would not grudge the expence thus incurred. He was ready to state, however, that the whole expence might not, perhaps, be liquidated by the present vote. The ships had been surrendered in the name of the Prince of Orange, and claims might arise elsewhere. He spoke with reserve, as the subject was one of the greatest delicacy. Yet he was anxious to be understood that these claims could not be started by the Dutch Government, or by individuals of the Dutch nation. A convention had been entered into with the Prince of Orange, and he had agreed that the ships should be employed in our service. The sum to be asked for secret service money for the remainder of the year was 90,000l. This sum he allowed to be very large, but it was quite impossible for him to enter into any explanation of the causes which rendered it necessary. He was extremely sorry to state, that the extraordinaries of the army would amount to 1,000,000l. and that, perhaps, a still larger sum might yet be required. He mentioned the next article with very different sensations, as it would afford an addition to the comforts of that most meritorious set of men, the naval officers. His Majesty, in his paternal solicitude, had long wished for something of this nature, and the plan had been at last matured under that most deserving and illustrious nobleman the Earl of St. Vincent. The new regulations

galations extended only to officers on half-pay. The Admiral of the fleet was henceforth to have 3l. a day, instead of of 2l. 10s. and the other Admirals raised in proportion. The captains at the top of the list were to have 12s. a day instead of 10s. The number of them increased, and the rest of the 900 raised to 6s. 6d. Of the 2,400 lieutenants, 200 instead of 100 were to have 5s. a-day, the intermediate classes would be raised in proportion, and the remainder were to have 3s. 6d. Boatswains, gunners, and other warrant officers would receive a similar augmentation. There were then voted—

For the amount of the valuation of the Dutch ships,	
&c.	£.199,812
Secret service money	90,000
Police Office	1,290
For the prosecution of George Stratton, Esq. and others, who conspired to remove Lord Pigot from the Government of Madras	1,184

The right honourable Gentleman stated, that this sum had long been in dispute between Government and the East India Company, but it had at last been discovered that the prosecution was commenced in consequence of a vote of the House of Commons.

To the Sierra Leone Company to defray the expence of transporting the Maroons	£.5,903
For the expence of the commissioners appointed under the American treaty	11,948
Printing the two last volumes of the Journals	4,605
Printing the votes of the present sessions	12,000
Printing the public records	4,797
The expence in taking the population of Great Britain	615
The repairs and alterations in the two Houses of Parliament, in consequence of the Union	19,991
Removing the offices of the Duchy of Cornwall, to make room for the auditors of public accounts	698
The extraordinaries of the army	1,000,000
Additional half-pay to the officers of the navy for seven months	30,000
On the motion of Mr. Corry, and after a long conversation across the table between him and Mr. Tierney, for civil contingent charges in Ireland	50,000
The resolutions to be reported the next day.	

The House then went into a committee of ways and means, and

The Chancellor of the Exchequer said, he wished to recapitulate the heads of supply and ways and means, to give a general view of the financial proceedings of the present session. He likewise shewed the saving that would be gained by the reductions that had taken place in consequence of the peace.

For the navy, including two millions for the interest of navy debt, there had been voted - - - £.13,833,573
 For the army in Great Britain - - - 10,297,790
 For the army in Ireland - - - 2,640,173
 Ordnance in Great Britain - - - 1,193,274
 Ordnance in Ireland - - - 203,076

For miscellaneous services in Great Britain and Ireland - - - 1,194,980

For corn bounties up to the 20th March - - - 1,620,000

Permanent grants - - - 363,338

These were the articles borne jointly by Great Britain and Ireland, and they amounted to rather more than - - - 31,000,000

Those borne separately by England, were deficiency in the malt, 1800 - - - 429,774

Interest and discount on Exchequer bills - - - 1,137,073

The civil list debt - - - 990,053

A small proportion of this was to be borne by Ireland, viz. for the arrears which had accrued during the last year, and early next session he should move for a committee to balance the accounts between the two countries.

To pay off Exchequer bills in the hands of the Bank - - - 3,000,000

Deficiency in the convoy-tax - - - 410,000

For reduction of the national debt - - - 200,000

Paying off Exchequer bills issued in virtue of two acts passed in the 30th and 40th of the King - - - 1,066,000

Deficiency in the surplus of the consolidated Fund - - - 2,676,280

Making an aggregate of somewhat above 41,000,000

2-17ths of the 31, and 2-17ths of a part of the arrears of the civil list would be borne by Ireland. These two sums might be taken at - - - 3,815,763

Leaving a remainder to be borne by Great Britain of - - - 37,352,966

To

[Comm
ways 2

POINT 14.]

SUPPLY.

533

To provide for this there have been voted :—

The pensions and malt duties	£.2,750,000
The lottery	370,000
Surplus subscription on funded Exchequer bills	188,875
Surplus grants	114,000
The residue of the subsidy to Portugal	99,876
Surplus of the consolidated fund for the year 1802	4,500,000
Exchequer bills to be charged on the first aids granted next session	5,000,000
Exchequer bills to pay the debt due to the Bank	1,500,000
The loan	23,000,000

In all 37,522,750
3,815,763

Add to this the

Contributed by Ireland, and the whole amounted

to 41,338,513
The whole supply was 41,168,632

Thus there was a surplus in the ways and means of 169,831

He would now state the saving that would accrue from the reductions that had taken place. He ought, however, to premise, that this in some instances might at first turn out more ostensible than actual.

For the navy there had been voted in 1801 19,012,227
For the present year only 11,678,383

A saving of nearly 8,000,000

For the army 1801 18,997,610
For the present year 10,906,414

A saving of rather more than 8,000,000

The extraordinaries voted he feared would not cover the real expenditure, and this seeming saving might be considerably diminished.

For the ordnance in 1801 £.1,938,963
For the present year 1,395,310

A saving of about 600,000

Miscellanies

Miscellanies in 1801	-	-	£.850,000
The present year	-	-	1,194,000

Here there was a considerable increase, but it was to be accounted for from the allowance for the Dutch ships, and other causes which would not recur.

The whole sum voted for army, navy, &c. in 1801, was	-	-	40,799,000
The present year	-	-	25,175,127

Making the immense difference of 15,623,873

This was no doubt gratifying, but when the saving was so prodigious, it might be asked how had such a loan been found necessary? In winding up the expences of war many great and unforeseen demands flowed in. Provision had this year been made for many charges incurred during the last.

There had been voted, to make up the deficiency in the malt tax

To pay Exchequer bills issued, charged upon the aids of this session

Deficiency in the surplus of the consolidated fund

Interest on Exchequer bills, discount on the loan of 1801, &c.

Arrears of the civil list

Exchequer bills to the Bank

Deficiency in the convoy tax

Corn bounties

Discount for prompt payment on the loan of 1801

To fund Exchequer bills

Altogether 21,662,994

Deducting the five millions of Exchequer bills, which he was about to propose, and for which he took credit, there would remain sixteen millions paid from the resources of the present year; though expended in former years. He did not deny that this view of things afforded him the highest satisfaction. It was his firm persuasion that the taxes would in future be as productive as they had been during the year 1799, and that, unless we experienced some awful visitation of Providence, we might fairly look forward to an improving revenue. He begged it to be remembered that he had provided taxes considerably beyond the amount of the loan, so that, if things should turn out not so favourably as there was reason to expect, still no deficiency would be found.

The

The permanent taxes produced	-	£. 32,853,000
The interest on the debt amounted to	-	23,520,000

So that a remainder was left, applicable to
the service of the year, of 9,332,999

By the report of the finance committee it appeared that in 1786 the remainder was less than 3,000,000*l.*, and in 1792 that it was only 6,500,000*l.* A great increase of charge would now be felt, independently of an increased establishment; from the increased expence of keeping up an equal one. But there would be three millions applicable to this increase. He trusted that our revenue would improve, but allowing it to remain stationary, still we had nothing to fear. It was indeed gratifying that at the end of a war in which so much treasure had been spent, we should be able to raise a large loan on such favourable terms; that we should clear off charges incurred in former years; that we should still have a considerable surplus, and that we should see nothing around us but prosperity and happiness. The right honourable Gentleman concluded by moving, that towards raising the supply granted to his Majesty, the sum of 5,000,000*l.* be raised by loan on Exchequer bills, to be charged on the first aids granted next session of Parliament.

FINANCES OF IRELAND.

Mr. Corry rose and said, he should briefly state to the committee the details respecting the finances of Ireland, which he should be very happy to explain to the Gentleman who wished for explanation. There were, in the first place, some small sums which must be placed to the account of the services of last year, but which were to be provided for in this. There was for the first instalment of the compensations 327,275*l.* treasury bills 25,700*l.*; loyalists fund 49,762*l.*; lottery prizes 2192*l.*; prizage 2000*l.*; amounting altogether to 406,934*l.* He should now state the charges which appertained to the service of the present year; in the first place, those which belonged solely to Ireland; and in the next, those which were borne by Ireland jointly with Great Britain. Of the charges defrayed solely by Ireland, the first was the interest and charges of the national debt, and of the sinking fund, amounting in the whole to 1,880,205*l.* The calculations were all made in Irish money, and he should therefore, for greater convenience, make use of that medium in stating the details. The next article was two instalments of the compensations, amounting to 555,200*l.* The next sum was for inland navigation, under an act of the Irish Parliament, amounting

amounting to 150,000*l.* The next sum was on account of the Irish lottery : it had been usual to pay the prizes of each Irish lottery in the succeeding year, and these remained due for prizes in the lottery of 1801, the sum of 300,000*l.* The next two items were sums of 200,000*l.* each for Treasury bills. He stated them here because they were covered by the ways and means, and were intended to be funded, but the debt would not be increased, as it would be only changing the unfunded debt for a funded debt, whilst the interest they were at present charged with would not be increased. The whole amount of the separate charges of Ireland amounted to 3,298,551*l.* The joint charge borne by Ireland, together with Great Britain, consisted of pensions, 112,667*l.*; the civil list 145,000*l.*; permanent grants 136,000*l.*; miscellaneous 104,785*l.*; public roads 53,100*l.*; hospitals, &c. 81,396*l.*; public offices 2430*l.*; civil contingencies 54,166*l.*; military services 2,860,187*l.*; ordnance 210,999*l.*; to make good contributions 360,140*l.* It was to be observed, that the military expences belonging to Ireland alone were considerably diminished, but as the military establishment of other parts of the united empire was not diminished in proportion, Ireland became in consequence subject to contribute a larger sum as her proportion towards the military expences of the whole united empire than she would have been liable to pay for her own military establishment : thus arose the increased sum to make good contributions. The whole joint contributions of Ireland amounted to 4,129,000*l.* and the whole charge of Ireland amounted to 7,428,425*l.* Irish money. It now remained for him to state the ways and means : there were balances in the Exchequer 393,668*l.* part of the English loan for the service of Ireland 2,166,666*l.*; Irish loan 1,625,000*l.*; lottery 500,000*l.* The lottery had this year been a joint concern between the two countries, and of the 500,000*l.* which was to be remitted on the part of this country, 300,000*l.* would serve to pay the amount of the prizes of the last year. The next item was a sum of 400,000*l.* which was to have been remitted on the part of Great Britain, but which had been reduced by various causes to 300,000*l.* The net sum was 3,000,000*l.* arising from the venues of Ireland. The whole of the ways and means amounted to 7,592,000*l.* from which, deducting the charges, a surplus of ways and means was left of 169,657*l.* He was sorry to detain the committee, but he wished particularly to state why he took credit for the produce of 3,000,000*l.* from those

those revenues which last year only produced 2,400,000l. In speaking of the revenues of Ireland the committee would recollect that he was speaking of a country which had been recently violently agitated with all the horrors of rebellion, and visited by a scarcity almost approaching to a famine. It must necessarily be imagined that these causes would operate materially to affect that country, and it could not be considered as surprising that its revenues exhibited various and violent fluctuations, not only in their amount, but in the sources from which they were derived, particularly those arising from malt and the distilleries. He wished to call their attention to five material articles of the Irish revenue: the first was the importation of foreign spirits. By the suspension of the distilleries in Ireland, the importation of foreign spirits had been considerably increased, and those duties which on the average of five years to the 25th of March 1799, amounted to 74,000l. produced in the year 1801, 555,000l. In order to see how the amount of these duties stood in the present year, he had called for an account of their produce for five months to the 25th of May, which he found to be 192,000l. He did not wish to appear too sanguine in his calculations; and he would therefore take the produce of these duties at that sum of 192,000l. which had already been received, and was actually in the Exchequer, allowing any further duties that might arise in the seven months of the year yet to come, to balance any drawback upon exportation. The next article was sugar; the average produce of the duty on sugar for the last five years, was 226,000l. the produce of the last year 292,000l. from which was to be deducted the estimated sum of 100,000l. for drawbacks, leaving a surplus of 192,000l. The produce of the duty during the last five months was 162,000l. He would take the produce therefore at 250,000l. This calculation will appear the more moderate, when it is recollected that the arrival of the West India fleet affords expectation of further importation of both the articles of sugar and spirits above mentioned. With respect to the third article, namely, wines, the duty in the five years preceding 1793, when the importation of French wine was not yet interrupted, amounted to the sum of 278,000l. last year the produce was 203,000l. and for the last five months 130,000l. he would take the estimated produce at 300,000l. being an increase on the article of 107,000l. The malt duty of Ireland it was difficult to calculate, there being no duty paid upon beer; the officers of

excise had not that inspection of the brewery necessary for ascertaining the quantity of malt consumed therein. The proportion which the malt consumed in the brewery bore to that consumed in the distillery, was heretofore about one-half; but the brewery may be fairly estimated to have considerably increased since the time that calculation was made: taking the whole together, he would estimate the produce of the malt duty at 314,000*l*. With respect to the fifth article, the distilleries, the average consumption had been 4,518,000 gallons, on an average of the years 1798 and 1799, the latest period prior to the suspension of the distillery on which the quantity of spirits that paid duty could be taken, that quantity at the present rate of duty would give a sum of 806,000*l*. Several regulations had been made in the year 1800, by one of which the distilleries were to work six months instead of four, which it might be estimated would encrease the revenue to 1,005,000*l*. but various causes contributed to lower this to 824,000*l*. and as these regulations were not yet matured, and some of them might be evaded, he would take off 50,000*l*. from this sum, which would reduce it to 774,000*l*. He trusted it could not be thought he had been too sanguine in these estimates, and that all would concur that they were founded upon fair probability. It was to be remarked, with respect to the revenues of Ireland, that the new duties created in the year 1801, had operated only for six months, and that there was a well-grounded expectation that those duties would produce much more than they did in the last year, as they would in this give the produce of twelve months. It was also to be observed, that many reforms had been made in the collection of the revenue in Ireland, from which much had arisen, and much was to be expected. In the estimates he had made, he was borne out by the experience of one material fact, which was, that the produce of the revenues for the last five months had exceeded that of the corresponding five months in the last year, by 431,000*l*. He trusted that he was justified in taking credit for an increase of revenue for the whole at 800,000*l*. If the actual produce should not equal the estimate, he trusted he should be able to account for it in another session of Parliament, without being held responsible for the precise amount at present estimated, involving as it did the consideration of many and important new regulations, which had never as yet been reduced to practice, and which remain to be proved by experience, independent of any calamity respecting the succeeding

crop of grain, which he hoped the blessing of Providence would avert. Before he should proceed to state any new taxes in aid of these revenues, he would offer a few observations upon the trade of Ireland. By the accounts on the table, he was sorry to remind the committee, it appeared that in the two last years the balance was considerably against Ireland, and that the imports had excessively increased, whilst the exports had materially diminished. The exports of Ireland were to be considered under three articles, linen, provisions, and corn; the rest were trifling. The linen exports had been materially diminished, not only by the extraordinary high prices which for some years past had been laid upon that article, but also from the pressure of the late scarcity, which had caused the consumers of it to forbear purchasing their ordinary supply, in order the better to provide for the sustenance of their families; the latter cause had, however, now ceased to operate; and with respect to the former, the Irish drapers were now convinced that the high price lately demanded had operated considerably to their own injury, it having given an unusual advantage to the Silesia and Hamburg linens, both in the British and American markets; it might therefore be hoped that the export of Irish linens would in a short time reach the amount of the exports of the year 1799, if not the greater amount of former years, which would give an addition of export in that article to the value of 250,000*l*. He thought it necessary, at the same time, to accompany that hope with apprising the House that the crop of flax this year in Ireland is certainly not such as to promise a sufficient supply of the raw material, and that the country must be supplied therewith from foreign countries, in a considerable degree, for the manufacture of linen in the year 1802. With respect to the provision trade, the war demand had ceased, whilst the peace exportation was not yet restored. The official value of provisions exported had been reduced from 1,200,000*l*. to 800,000*l*. but when the peace exportation was completely restored, there was every reason to believe there would be an addition of 250,000*l*. and it was to be recollected, that the official value remained always the same, whilst it might be frequently estimated at only one-third of the real value. The export of corn had been in former years 600,000*l*. and 500,000*l*. and was in 1799, 360,000*l*. During the last year the reverse was the case—there was not only no export, but corn was imported into Ireland to the amount of 260,000*l*. This was caused by the scarcity by which Ireland was afflicted; but if they looked to the situation of that

country as it was formerly, and calculated upon an export of corn to the amount of 360,000l. this, added to the 260,000l. the amount of the import during the last year, would make a difference in favour of that country of 620,000l. Considering therefore the prospect of these increased exports in the three articles stated, amounting to nearly 1,200,000l. though he could by no means presume that this extension would take place in the compass of the present year, yet he was warranted in supposing, and had every reason to believe, that Ireland would again return to its former state, with respect to its revenues and its trade; the experience of a short time past was a sufficient ground for that belief, and that the wise measures of Parliament with respect to that country, would contribute to the comfort of Great Britain, and the happiness of Ireland. He would now proceed, in conformity to the wise principle adopted and uniformly practised in this country, of providing additional means for the support of additional burthens, to state the taxes which appeared to him most proper to be adopted for defraying the interest of the loan, for the payment of which taxes were to be provided. He could not foresee the extent of the peace establishment; if it would afford the means of diminishing the burthens of Ireland, he should be peculiarly happy, but he could only propose taxes to meet the exigencies of the moment. The taxes he proposed were, a tax upon exports, the same as in this country, passed during the present session; and a tax upon imports, the same as here, with the exception, however, of some articles in addition to those exceptions contained in the British act respecting imports, which additional exceptions were intended to exempt the raw materials of every description used in the staple manufacture of Ireland, the linen; as also the article of salt used in the provision trade, together with the article of corn in respect of export. But before he should propose the motions which he meant to offer, he must beg leave to premise some observations respecting the union compact: the union is not yet complete—the exchequers are separate—this arose out of the burthens to which the two were subject on account of their debts; it would have been unjust to impose those burthens by equal taxes. But in other respects they are united, and so for charges of all sorts, except debts; to those they pay—how? Not equally, but by contribution proportioned to ability. First, the exchequers are separate; second, the contribution is proportioned to abilities, and is as fifteen to two for twenty years; third, the taxes

taxes are separate, and not either equal in amount, nor common in their objects, but peculiar to each country. The first consideration, therefore, for Parliament is respecting taxes, what are most fitting for each by which to raise their means for separate charges, and for contribution, with a view to the interest of the separate country. But the narrow policy stopping there is not what follows; after viewing the interests of each country separately, there is a general view of resulting and common interests to be taken, on policy compromising the peculiar interests of each to effect a general interest: mutual confidence, absence of jealousy, good feeling towards each other, equality of situation as far as can be with justice borne by both in common. He was not afraid to admit all these principles as belonging to our united situation; whilst, on the other hand, he expressly resisted their application where they tend evidently to work an injury to one country disproportioned to the general or common interest obtained by such a sacrifice. The equity justifying such sacrifice is in the breast of Parliament, and will not be mistaken or abused. As to the necessity of equal taxes on the produce of both countries to foreign markets, he was not bound to admit that; to argue it here was unnecessary. He need not argue it, proposing the taxes to which it would lead; in proposing which, however, he still reserved and maintained the principle he contended for, namely, that the compact of union does not in any case necessarily demand equality of taxes. Undoubtedly, if a system could be devised, applying to both countries, and placing them on an equally fair footing, that system ought to be adopted. In this case he did not admit that an export and import tax ought to be paid in Ireland, because it was paid in this country; it was not necessary on that account; but as additional taxes were necessary in Ireland, he was happy in proposing those which would accord with the taxes adopted by this country. The total value of foreign goods imported into Ireland was 4,445,000*l.* and of the exports of Ireland 3,304,275*l.* The produce of the proposed tax on foreign goods imported, he estimated at 93,900*l.* and on exports to foreign countries (the trade with Great Britain being in each case, of course, excluded) at 5,300*l.* making together the sum of 99,000*l.* It was proposed to exempt from the operation of the tax on imports, ashes, smelts, flax-seed, hemp, and salt; and from the duty on exports, cotton goods and corn. With respect to a tonnage tax in Ireland, the actual tonnage of Ireland was not more than 100,000 tons, which would

would not produce more than 7000*l.* the rest of the tonnage employed was British, and the British ship-owners, in calling for a tax on Irish tonnage, overshot the mark; for it would be in fact only an additional tax upon themselves, the far greater part of the tonnage employed in that country being their own. He thought these taxes would not be found burthensome on that class who were least able to bear any additional burthen, but that they would, on the contrary, fall upon another class able to bear them, and upon whom they would press very lightly. He concluded by moving his resolutions respecting the proposed taxes.

Mr. *Foster* said, he had often given his opinion in public of the situation of Ireland, but this was the first session in which he had the misfortune to represent the declining state of its revenues, its trade, and its prospects. That the right honourable Gentleman, the Chancellor of the Exchequer, having mentioned his intention of moving for a committee early the next session to examine into the accounts of Ireland, as affected by the union, he should not enter into that part of the subject; he would only observe, that it was now a year and a half, with the second session almost closed, since the two countries entered into a partnership of expenditure. That the union act contained the articles of this partnership, one of which was, that each kingdom was to defray the charges separately of its own debts incurred before the union. He said, that in common life the ascertainment of such a debt and its charges would have been the first and immediate business to be proceeded on, in order to regulate thereafter the separate from the partnership accounts. That by the same articles; all money raised after the union by loan, in peace or war, for the service of the united kingdom, was to be the joint debt, with an exception, however, pointed out in the agreement. That in the last session two million and a half had been borrowed by Ireland, three and a half in the present, and yet no enquiry made, nor any declaration whether it was all joint debt or not. That if two million and a half were right in the one year, three million and a half was probably too much in another for Ireland's proportion; but be that as it may, it required a settlement, which ought not to have been delayed, for without it the proportion of revenue for the joint expenditure could not be ascertained. By the union there were three debts enumerated—the British, the Irish, and the joint debt, yet not one of them settled, though so much time had elapsed. But he should dwell no farther

on this, as notice was given it was to be referred to a committee early in the next session; nor should he dwell on the inaccuracies of many of the accounts returned, nor on some which he had called for not being delivered. What had been delivered were sufficient to shew, almost to a moral certainty, that the revenues were wholly inadequate even for the lowest possible peace establishment, and that they had not even kept pace with the growing charge of debt. The right honourable Gentleman (Mr. Corry) acknowledged there was a fall and a deficiency, and entered into several calculations to ground as a hope that they would rise from two million four hundred thousand pounds, so as, with the extraordinary revenue, to make up three millions, at which he estimated all his ways and means: he would not follow him into these calculations, because their whole result was grounded on an expectation that the distillery would produce 800,000*l.* more than it had done. He thought this expectation unfounded, but if it were not, and such an increased produce should take place in that article, he looked with a melancholy concern at its effects on the morals, the health, and the tranquillity of the country; and he could not think any addition of revenue so raised, could compensate for all the evils which must be expected from a policy so contrary to what had been adopted for many years past, as increasing the use of spirituous liquors. In destroying industry it would impair the sources of all other revenues, and in debauching the morals of the lower ranks it would hazard the tranquillity and the happiness of the whole. But would even the increase proposed answer? To where it would not, he proceeded to compare the revenues of the last year to January, 1802, with the year to the 25th March, 1800, being the latest whole year which would admit of comparison; and he stated the net produce of all the taxes constituting the ordinary revenue of Ireland to have been in the former period about 2,800,000*l.* and in the latter not quite 2,300,000*l.* while the interest and charges of the national debt rose, from having been not quite 1,400,000*l.* in the former year, to have been 1,886,000*l.* in the latter, leaving thereby a decrease in the revenue of above 500,000*l.* and an increase of annual charge for the increased national debt of nearly 500,000*l.* making, by the decrease of revenue on the one hand, and increase of charge on the other, a difference of above a million in the capacity of the revenues as applicable to defray the current expenditure. To take it in another point of view, the net revenue exceeded the charges of

of the national debt in the former year by about 1,400,000*l.* and the latter year by not quite 400,000*l.* making the difference of the million which he had just stated. That if he were to compare the receipts and issue of the last year, this insufficiency would appear greater; for the total receipts from the taxes were 2,400,000*l.* while the issue, the interest, and charges of the debt were nearly 2,140,000*l.* and the desperate change of the finances would be still more conspicuous, if the state of the treasury were to be adverted to. The balance there on the commencement of the last year was 1,671,000*l.* and at the commencement of the present only 394,000*l.* For the prospect which Mr. Corry held forth, of a great increase by a better collection of revenue, he expressed little hope; on the contrary, he found not only the comparative, but the actual expence increasing. The excise and customs gross were collected in the nine months to January 1801, at 7*l.* 1*s.* 11*d.* and in the year to Jan. 1802, at 11*l.* 12*s.* 5*d.* per cent. He stated the comparison of per centage, likewise, on the net revenues, but he adverted only to a comparison on the gross, as in it every consideration of more or less drawback, or re-payment, was omitted, and the per centage struck on what is strictly called management; and he took the nine months not only as the period immediately preceding the other, but as being the only one before the last year on which an official return was made of the per centage cost of collection; any given period might be deemed equally fit for the purpose of the comparative proportion of collection to revenue. In the post-office, the expence of collection on the gross revenue had been 47*l.* 7*s.* and on the net 89*l.* 13*s.* on the former period, while it rose on the latter to 69*l.* 4*s.* on the gross, and 244*l.* 14*s.* on the net. This increase was enormous, and he at first supposed it was chiefly owing to increased convenience afforded in establishing new mail-coaches, or new posts, which would have completely justified the expenditure, as the great object of the post-office is convenience, and not revenue; but on inspecting the accounts nothing appeared. He then proceeded from this general view to the actual increase in particular articles. The revenue salaries, which in the year ending 25th March, 1800, had been 113,000*l.* rose to be 119,000*l.* in the latter year. Revenue pensions and gratuities from 34,000*l.* in the former, to 37,000*l.* in the latter; and revenue incidents from 106,000*l.* in the former, to 113,000*l.* in the latter, making an actual increase of 40,000*l.* a year in whole

three

three articles, which constitute the whole management. He mentioned this with the more regret, when he recollected the different state of Britain, for while she increased her taxes seven or eight millions a year, he heard a right honourable Gentleman on the same bench with him, whose authority he knew to be unquestionable, state, that 51 officers had been struck off, and fifty added, and above eighty sinecures decreed to expire. He adverted to another instance of increase, which appeared to him unaccountable. The commissioners were required by law to pay to their officers the amount of their fees on bounty goods out of the revenue, so as to leave the bounty clear to the person who was to receive it. These fees amounted in the former year to 3,551l. when the bounties were 51,143l. but in the last year they rose to 5,809l. while the bounties fell to 36,737l. There were variations in other articles, which could hardly be attributed to an unsteadiness of gross produce. Hearth-money, which in the former year, to the 25th of March, 1800, produced 61,000l. fell to 32,000l. in the latter, to the 1st of January 1802; carriage duties from 51,000l. to 24,000l. and window duties from 128,000l. to 91,000l. This last was the more extraordinary, as the window-light duties are imposed not on the actual number of windows as last year, but as they stood on the 1st of January, 1799, so that no evasion or defalcation can take place from the inhabitants shutting up their lights. He next proceeded to consider the prospects held out by Mr. Corry, of increase of revenue from an increase of trade; and he lamented in strong terms the situation of the trade. When early in March he had endeavoured to call the attention of Ministers to an immediate consideration of it, and had stated the fatal change of its balance in the year to March 1800, he was charged with want of candour in not adding the prosperous state of the following year. It was said the linen exports were increasing, and every thing was to exhibit a prosperous reverse of the picture he drew; he feared much that would not be the case, and the official accounts of that year have since confirmed his fears. But he would lay a full statement not only of the two last years, but of former times, to shew the alarming and melancholy reverse which Ireland has experienced. The general balance of trade had been, in favour of Ireland, almost uninterrupted, for many years. On an average of five years to 1794, the exports exceeded the imports annually in 1,071,000l. official value, on a like average to 1799 in 488,000l. but in the year to the 25th

March, 1800, the tables were turned, and the imports exceeded the exports in like value to the amount of 2,100,000*l.* and in the year following, to March, 1801, in 1,765,000*l.* making, on an average of those two years, the official value of the balance against Ireland to be 1,908,000*l.* or nearly two millions annually. When the honourable Gentleman talks of the probability of the imports declining, he agreed with him, but from a different motive—from the incapacity to pay for them; but was there a hope the exports would rise to assist in reversing the unfavourable balance?

The export of Irish produce and manufacture

had been, on an average of five years to 1794, £.4,928,000

Official value in five years, to 1799, 4,626,000

To 1800, 3,903,000

To 1801, 3,570,000

A melancholy, regular gradation! while the increase in imports was as unfavourable; for their official value was, on the five years average, to 1794, - 3,908,000

On the same, to 1799, - 4,205,348

To 1800, - 6,183,457

To 1801, - 5,584,000

Thus leaving the imports of the last year above 1,600,000*l.* greater than the average to 1794, and the exports less, on the same average; by above 2,000,000*l.* To go into all the particulars mentioned by the right honourable Gentleman was needless: in beef, butter, and pork, there was a decrease certainly, but they might recover, and there certainly would be some change in course; but he was sorry he could not entertain the same hope for the great staple article of linen. The official value of the exports was, on the five years average, to 1794, - 41,800,000 yds.

On the like average to 1799, - 39,200,000

To 1800, - 35,600,000

To 1801, - 34,300,000

And there was reason to apprehend a deficient crop of flax this year. He adverted to the article of drapery, which the right honourable Gentleman (Mr. Corry) had not mentioned. In 1785, 770,000 yards of new drapery had been exported; it fell, in 1793, to - 140,000 yds.

In 1798, to - 92,000

In 1799, to - 61,000

In 1800, to - 33,000

In 1801, to - 4,800

And old drapery was only - 556

In the last year, while the import of new drapery intreaſed from an average for five years, to 1799, of.. 1,471,000 yds.

To be in 1800, 1,264,994

And in 1801, 1,079,454

And old drapery, which had been imported, on a like average, to the amount of 1,027,000 yards, roſe, in 1800, to 2,233,000, though it fell, in 1801, to 1,109,000 yards.

Theſe, he ſaid, were no encouraging proſpects, and he requeſted the particular attention of the committee to the peculiar neceſſity of a favourable balance of trade from the particular ſituation of Ireland. Exchange had been, for a long time, againſt her, to 12 or 13 per cent. or $3\frac{1}{4}$ to 4 above par. The reſtriction on the iſſue of ſpecie might be one cauſe; and that was not to be prevented while general policy required its continuance in Britain, but the great cauſes were the drain of abſentees, the increaſe of a new abſentee in the increaſing debt, borrowed in England, and the change of the balance of trade. He here ſtated the peculiar neceſſity there was of not enhancing the evil by the mode of raiſing the ſupply; and he ſtated that, though the intereſt and charges of the debts borrowed ſince the 25th March, 1800, to the 1ſt January, 1802, amounted to 290,000l. yet that no taxes adequate to pay them were impoſed, nor were any propoſed to defray the charges of the three millions and a half raiſed this year, except about 90,000l. by the convoy duties, which were diſclaimed as a meaſure of revenue. Even laſt year, by the papers on the table, it appears, that 100,000l. worth of taxes ceaſed, to which may be added 10,000l. more by the repeal of the abſentee tax, and yet only 47,000l. was the produce of all duties impoſed, ſo far as thoſe papers ſhew. A ſituation very unfavourable, when not only no proviſion was made to pay the charges and ſinking fund of the new debt, but none was adopted for replacing the loſs of repealed taxes. He might ſay, with truth, that the intereſt and ſinking fund was to be paid by borrowed money, and, in borrowing, he could not but lament that all which could be got in Ireland had not been reſorted to; the evil of a conſtant drain from the country was increaſed by every loan in England; and though, when the money muſt be had, Great Britain muſt be the reſort, it ſhould not be ſo, ſo long as Ireland had any floating capital which ſhe could lend. Ireland certainly could not ſpare money for the loan, but this very circumſtance ſhewed the peculiar policy of preventing the increaſe of loans as much as poſſible, and reſorting to taxes. He

stated this as peculiarly applicable to the return of peace, that the interest and sinking fund of a debt of 36,000,000*l.* which the debt of Ireland amounted to last year, was 1,886,000*l.* and above one million of that payable in England. That the debt of this year would raise the annual charge to above 2,100,000*l.* and the whole revenues were not to produce, by the most favourable estimate, above three millions, giving an overplus far below the former peace establishment, and very unequal to what must be the ensuing one. He condemned, therefore, the conduct of not raising supplies by taxes, at least for the charges of the debt; and said that if the balance of trade against Ireland, being nearly two millions official value, and as fifty per cent. which is under the British calculation, being 3,000,000*l.* real value, was added to 1,100,000*l.* drawn for the interest of the national debt payable in London, and to one million remitted to absentees, there appeared a drain of five millions against the country. A drain which must, eventually, wholly impoverish it, and the desperate effects of which the kingdom was prevented from feeling to its extent, solely by the borrowed principal coming in to counteract them. When this borrowing ceased, then the evil would be felt most fully; and it was a miserable reflection, that the capital was all spent and gone, while the annual charge was to remain, without adequate permanent profit, from the employment of that capital, to support that annual charge. This the state of exchange and of the trade clearly shewed. He said another evil flowed from the increase of debt. When the twenty years after the union should elapse, that is in 1820, the contributive proportion of the two kingdoms might cease, and each undergo equal taxes: Britain was decreasing her debts, she would then (even on the new application of the sinking fund) owe only three hundred millions, and now she owes four hundred and forty-eight; she would have a sinking fund of twelve millions for its extinction, while every increase to Ireland's debt must still render her less able to meet the terms of equal taxes. England would be the richer, Ireland poorer than on the day of union; and yet it was supposed by the union that Ireland might be capable of equal taxes then, by her becoming more able to bear them. From this he drew a comparison of the two countries in their present state of finances: England was able to raise ninety-six millions of money, provide for all its interest, and take off three millions a year of taxes, a situation the most glorious for her and

and the most honourable for the Minister who planned and persevered in her system of finance, unparalleled in the history of any country or any age. Her sinking fund was 1-238th part of her debt, when it was instituted; it is now about 1-80th or 1-84th. Ireland's sinking fund, on the contrary, was 1-70th at its institution in 1797, when the debt was seven millions, and is now 1-90th, or thereabouts, going retrograde from the debt, while the British advances. Ireland takes off no taxes, but must add more. The balance of trade rapidly runs in favour of England; it has changed more rapidly in proportion to its extent against Ireland. All shews the good policy of the British, and the contrary of the Irish system; and he again repeated his strong disapprobation of not having raised, since March, 1800, taxes adequate to the interest and sinking fund. As to the export and import taxes proposed now, though he disapproved the principle of an indiscriminate tax on trade, affecting all manufactures and all raw materials, he would not oppose them, as they were the only ones proposed; he only wished that the linen manufacture should be excepted, as he did not think its situation admitted any check. There was an apparent error in giving a bounty for exports and taxing that very export: its high price had already hurt it in foreign markets, and every thing which could tend to raise it ought to be avoided. He allowed the charge was too small to be practically, perhaps, very injurious, but it might prove so speculatively, and he deprecated the commencing to tax a staple which, for a century past, had never been taxed, but nurtured by bounty. He adverted to the export of cotton being free from the tax in Britain, and stated the linen as equally entitled, in Ireland, to exemption, and concluded by expressing his hopes that the whole situation of Ireland, as well as its accounts, would undergo a full investigation early in the next session.

Mr. Wickham observed, that he should not have risen in the present debate, had not some points which had fallen from the right honourable Gentleman rendered it necessary. That the materials from which the measures of his right honourable Friend were framed were not proposed by him, nor regarded him in any way; that, besides, he was little accustomed to speak in that House, and never rose in it but under the impression of so much awe, that he should certainly be the last man who would seek an occasion to offer himself to the notice of the committee; but that he should consider himself as shrinking from his official duty, and from
a duty

a duty he owed to a Gentleman who deserved most highly of the public, if he sat silent after hearing one of the observations of the right honourable Gentleman, (Mr. Foster) he meant his observation on the increase of revenue incidents and salaries. He should even consider it as shrinking from his official duty, not only with respect to himself, but to a right honourable Gentleman, high in the estimation of that House and of the public, did he remain silent. He alluded to what was said of the considerable increase recently made in the head of pensions and salaries: if that charge was well founded, it would be incumbent on the committee to enquire whether there were just causes or not for such an increase. He had filled more than one official situation in the service of his country; he had of course reviewed the business of each department he had filled prepared by his predecessor, and had delivered it over according to the best of his means to his successor; that he could safely say, that he had never seen business prepared with so much care, diligence, accuracy, and perspicuity; so well digested, or so many useful materials for furthering the public service collected together, as those which he had received from his predecessor. The facts were such as that he could safely say, that never was there a system of internal administration for the affairs of any country better arranged or digested, not only with a reference to considerations of public economy, as that which he received from his estimable predecessor in office (a general cry of *hear! hear!*) not only that, but the most active and well-digested measures were in a state of forwardness for increasing the revenues, and on plans the most economical as to its collection. The right honourable Gentleman had asserted that in which he was not borne out by any official documents or authentic accounts whatever. With respect to his comparisons of the amount of charges incurred in the two last years, they were founded on no authentic documents hitherto sent from Ireland. Some of those plans to which he had alluded were for the express purpose of reducing the expences of collecting the revenues, and on principles the most politic and efficacious; among these was to be reckoned the arrangement with respect to the revenue officers, and supplying the places of those who were superannuated, or otherwise unfit for duty, with active and proper officers. With respect to what the right honourable Gentleman had insisted, of a progressive decrease of the revenue, he could contradict him from official and authentic documents; that even within the

the last five months; the whole of what was due within that period had not been received. There was an increase in the proportion of 400,000*l.* and, certainly, what had been expended so as to produce this increase, was laid out to the most salutary purpose.

Mr. Corry observed, that in what the right honourable Gentleman had rendered it necessary for him to say, he should be as concise as possible. With respect to the deficiencies adverted to by the right honourable Gentleman in certain taxes, in his mode of stating the case, such certainly appeared to exist; but he should have recollected that it was principally owing to the new mode of collecting them, by which all that was actually due did not appear within the given periods; such was the case with the hearth and window taxes, and even with the servants and the carriage duties, the surplus came into the revenue as computed for this year; but for which no allowance had been made by the right honourable Gentleman. With respect to the expences of the collection increasing from 11 to 13 per cent. the right honourable Gentleman was surely not ignorant that these included all the charges of management, the repayments to the merchants and the drawback. In regard to the arrangements with respect to the revenue officers, they were such as he could justly take a pride in; the regulations were founded in sound policy. The post-office department, so forcibly dwelt upon, the right honourable Gentleman knew was never an object of revenue; the increased expences of collection in that department were unavoidable, from the calamitous situation in which the country was plunged at those periods; in some instances, the performance of that duty in the usual way was impossible; contractors were necessarily employed; but where the duty was performed by the office itself, the increase of expence was comparatively small. The right honourable Gentleman, in his statement of the taxes lost by the union, had, unfortunately, not looked on both sides of the account; so far from there being a deficit on that head, to the amount of 100,000*l.* as stated by him, there was an increase upon the duties produced by the trade with Great Britain; certain duties, it is true, were lost; but others, in particular the 10 per cent. (according to the schedule in the union act) were gained, exclusive of the duties on cottons, the result of which was a gain on the whole to the amount of 26,000*l.*; so that the right honourable Gentleman was guilty of an error in his statement of 126,000*l.* With respect

to the balance being against Ireland, as stated by the right honourable Gentleman, a great deal of that was owing to the increased importation of corn, particularly in 1800, a circumstance which, in all probability, would not occur to the same extent again: the increased importation of old and new drapery was, in a great degree, to be accounted for by those circumstances which had entirely exhausted the country, annihilated the petty shops in all parts, in consequence of which, and of the facility for speculation afforded by the paper circulation of the country, a number of adventurers soon after embarked in the woollen-drapery trade, among which, it was unnecessary to observe, that a number of failures ensued: several other sources of decrease may be attributed to the like temporary, or removable causes, and on any day when the House had leisure, and the right honourable Gentleman chose, he would meet him in detail, and on every item of this subject. With respect to the system of loans, on which so much stress was laid, and the mode of taxation lately adopted, he should have to trouble the committee with a few observations. In regard to the latter subject, the first year he came into office he had about 350,000*l.* to provide for by taxation; those which he proposed covered more than 427,000*l.* This was done in the midst of the rebellion, and in its worst periods; he never shrunk from the disastrous prospect—he was unappalled by the difficulties of the moment—he stood in his place, and proposed taxes to the full extent of what was called for; that did not favour of a political pusillanimity. He had to encounter the additional difficulties of years in which the suspension of the distilleries dried up some of the most productive sources of revenue; this accounted for the deficiencies of one year: in the next they were less; and these obvious causes the right honourable Gentleman, in candour, should have considered. Deficiencies in certain taxes were no uncommon thing, even in this prosperous country, and in this very year his right honourable Friend had found it necessary to make provisions under that head. With respect to the system of the loans, the right honourable Gentleman seemed to forget the circumstances of the unprecedented distress in which Ireland was recently involved, and in his argument he assumed that the loans could have been raised in Ireland; but what were the notorious facts? At a period when it was proposed to raise the comparatively small loan of 1,500,000*l.* in Ireland, there were two sets of bidders, one Irish, the other

other English; the former was preferred, and what was the consequence?—The Irish contractor was obliged to abandon his loan, and forfeit his deposit of 75,000*l.* This certainly was no proof that money could be had. In the present year, there were one set of Irish, and five of English bidders: had the English not been disposed to bid as fortunately as they were, the Irish list, in consequence of there being but one set, must have had the loan upon their own terms, which naturally prevents the looking to that country for large sums of money. But the right honourable Gentleman has asserted, that the raising loans in Great Britain did, by causing the interests to be remitted to this country, materially injure Ireland. On that point, Mr. Corry said, he was distinctly at issue with the right honourable Gentleman. He desired it to be understood, that so long as loans were to be raised, the stocks in Ireland should be so, from time to time, increased, as to meet the increasing capital of the country destined for the stock market; beyond that amount the only market for Irish stock was that of Great Britain, to which, of course, the surplus stock found its way; in this he was warranted by the transaction of the Irish loan of 1800, of which 700,000*l.* only was sent into the Irish market, whilst the remaining sum of 1,400,000*l.* was brought to the British market, the contractor binding himself to pay the interest in this country, which was paid to him by the Government in Ireland. The same thing, he understood, would take place in the smaller loan of this year; from which facts it will appear, that though the interests may be payable by the Government in Ireland on loans raised there, it must, nevertheless, find its way after the stock into Great Britain, the only difference being whether that interest be remitted by the Government or by private bankers. The difference whether the money was remitted through the medium of Government or of individuals, was not of such vast importance, still less, upon a fair examination of the question, would the right honourable Gentleman be borne out in his unqualified assertions; his candour should have suggested another language to him, particularly when the circumstances attending the loan of 1800 were in his recollection: the same line of reasoning would apply to the loan of the present year. A great proportion of its interest would be remitted through the channel of private bankers, and as a part of the balance. In regard to what had been said of the regulations respecting the linen trade, the right honourable Gentleman would see that the

raw material was exempted, and that every practicable step was taken to place that important branch of the trade of Ireland on a secure and advantageous footing.

Lord Caplereagh begged leave to offer a few observations respecting the relative state of the debts of Great Britain and Ireland: with regard to these, he thought the right honourable Gentleman greatly undervalued the exertions made on the part of Ireland for the liquidation of her debt. In considering these points, the proportionate amount of the sinking funds of both countries should be particularly kept in view; the right honourable Gentleman had assumed, that in the process of liquidation, England would advance, but that Ireland would retrograde; in this, however, so far from being borne out either by fact or by argument, the prospect of advance was greater on the part of Ireland, inasmuch as her sinking fund was greater than that of Great Britain, in the proportion of 70 to 238: since the respective establishments, their progress in liquidation has been the same, namely, one per cent. on their capitals. If the advance made by Ireland was not numerically proportionate to that of England, it was because her sinking fund was not so long established; but, during the interval, the exertions of Ireland have been, proportionably, even greater than those of Great Britain. At the expiration of twenty years, he was aware that, by the act of union, the original settlement of two-seventeenths for Ireland would cease, and a common system of expence for both countries would take place; but this, by the same act, would be in proportion to their relative abilities, and such as shall be deemed just and reasonable; but every one must feel that an equal rate of expenditure and taxation would not be practicable except in the event of the annihilation of all the debts of both countries, and a perfect equality of means and resources. However, the right honourable Gentleman could not be founded in assuming that, in the intervening years, the sinking fund of Ireland would be inoperative, while that of England would progressively abridge her debts: for his part, he saw no difficulties which could arise to impede the progress of the Irish sinking fund, on the contrary, circumstances were more favourable to its operation, particularly when it was considered that, in her aggregate debt of 32 or 34 millions, there were 12 millions of 5 per cents, which was a larger proportion of this kind of stock than in the debt of England; and, if the same course as hitherto is pursued,

at the expiration of next year, a revenue of 184,000*l.* per annum will be saved, which, in every point of view, must be regarded as a circumstance of great consolation.

The conversation was farther carried on at some length betwixt Mr. Tierney, Mr. Vansittart, Mr. Boyd, Mr. Archdall, Mr. Foster, and Mr. Wickham; when

The resolutions were put and agreed to, the House resumed, and the report was ordered for the next day.

Mr. Vansittart stated, that considerable inconvenience had arisen to the commerce between this country and Ireland in the article of spirits, from the difference of the instrument used respectively in measuring the strength of spirits. Indeed, the instrument used in both is inaccurate. A more perfect instrument than the common hydrometer, he understood, had been discovered by an officer of the revenue in Ireland, but, till it was more thoroughly tried, it was not thought right to introduce it into use under the excise laws. It was necessary, however, to put an end to the inconvenience arising from the different instruments used in England and Ireland; for this purpose he rose to move for leave "to bring in a bill to authorise the Lords of the Treasury, both in England and Ireland, if they thought fit, to introduce such instrument for measuring the strength of spirits as might be found best to answer the purpose."

The motion was seconded by Mr. Corry.

Leave was given.

Mr. Vansittart said, that there was a practice in this country in public houses to have what was called Little Goes, by which much low gambling took place. He wished to propose that the punishment for this and other similar kinds of low lotteries should be the same with that for illegal lotteries, and insurance in the lottery, &c. He therefore moved for leave to bring in a bill for that purpose.

Leave granted, and the bill read a first time.

The Irish Parliament-house bill, and various other bills, went through the committees.

The Tortola free port bill was read a first time, and ordered to be read a second time the next day.

Adjourned.

HOUSE OF LORDS.

TUESDAY, JUNE 15.

Counsel were heard at some length relative to the Scotch appeal—*Rebecca and Thomas Lashley, v. Thomas Hog*, of Newliston, Esq. namely—Mr. Attorney General, on the part of the appellants, and Mr. Romilly as leading counsel for the respondent. After which their Lordships deferred the farther hearing of the case till Friday.

The neutral ships bill, the hackney coach bill, the British fishery bill, the French letters postage bill, and the West-India docks amending bill, were brought up from the Commons by Mr. Alexander, attended by several Members.

Their Lordships then proceeded to the order of the day, which was for the commitment of the Scotch militia bill; the House accordingly resolved into the said committee, Lord Walsingham in the Chair.

The various clauses and provisions of the bill, as they were submitted to the committee, produced a very long and desultory conversation, in which the Earls of Carnarvon, Fitzwilliam, Kinnoul, Roslyn, and Berkeley, the Duke of Montrose, and Lords Thurlow, Hobart, and the Lord Chancellor, took a part.

The Earl of *Carnarvon* desired to be informed what the amount of the qualification of the deputy-lieutenants was which is stated to be 400l. Scots, which he understood to be a reference to an old valuation of uncertain amount, conveying no uniform sum, but varying according to the varied improvement since Cromwell's time, and conveying no accurate idea to an English legislature; an estate of so many pounds Scots is, as I apprehend, descriptive of its value in Cromwell's time, or in some former period, the pound Scots being a denomination not having the most distant relation to a pound sterling; so that I conceive that an estate of 400 pounds Scots means an estate in some former period far removed from the present, valued to that amount, but varying now in its real value by as much as each particular estate has improved; it would therefore appear to him that the qualification to be required, which ought not to be different to different deputy-lieutenants, should be stated in intelligible language by pound sterling, a denomination known to every person in Great Britain.

The Duke of *Montrose* replied, that he could not state the

the exact value of 400l. Scots, but believed that it was about 400l. sterling more or less, but at an average about 400l. sterling, but that if the noble Lord would pass a little time in Scotland, he would soon know the meaning of the phrase; that it was very natural in a bill whose execution was to be in Scotland, that the familiar and popular phrase should be used.

The Earl of *Carnarvon* replied, that as the information he required was for immediate use to the legislature, called upon at this moment, to fix a proper qualification as a security to the public, for a Scotch deputy-lieutenant; it would not well bear the delay of the journey and residence which the noble Duke had so obligingly proposed him; but if the delay was not a fatal objection, the noble Duke's success (who has passed the greatest part of his life in the country) would not encourage him, for with the advantages of long residence and great property in the country, he remains without a sufficient knowledge of the subject to explain the amount of the qualification stated in the bill. With all deference to the Noble Duke he should be inclined to think that in many cases 400l. Scots does not produce a qualification nearly equal to 200l. sterling; and a reference to the English militia act, might very well justify such a conclusion; for as all the other qualifications in this Scotch militia act, are much below the qualifications required for equal ranks in the English militia, it is reasonable to suppose that the qualifications of the deputy lieutenants are in the same proportion, and it is not easy to credit that 200l. sterling should be reckoned sufficient for the English deputy, and 400 Scots, valued at 400l. sterling, should be found necessary for the Scotch deputy lieutenant. I suspect therefore, that if the noble Duke would apply to the author of this bill, of which he seems the patron, he will find that in many cases a pound Scots is not equal to one quarter of a pound sterling, though in others, by the very great improvements of such estates since Cromwell's time, it may nearly equal a pound sterling. But unless the legislature is disposed to sanction any bill which comes from a certain quarter, they cannot assent to a sum, the value of which they are unacquainted with. If 400l. Scots is meant to be 400l. sterling, the last phrase has an uniform and determinate sense which is not to be found in the other. I shall therefore move that the words pounds Scots should be omitted, in order to insert in their stead the words pound sterling.

A division

A division took place on this motion, when the numbers were, for the amendment 6, against it 16.

Several other objections were made, but that which seems of the most essential importance was on the different treatment of the people of England and Scotland with respect to pecuniary burthens. Lord Carnarvon observed that English occupiers of land pay not only for their own respective substitutes, but half the substitute money of every ballotted man worth 500l.; they also pay through the medium of the poor rates and county rates, all other pecuniary burthens which the militia establishment draws with it, and in addition to these unjust and oppressive burthens, he is by this Scotch militia act, called upon to contribute to the expences of the Scotch militia, the Scotch occupier of land paying nothing towards that of England; for it must be observed that the Scotch occupier of land pays only for his own substitute, but nothing towards the substitute of poorer classes, nor does he pay any thing towards the other pecuniary burthens incident to the militia of Scotland, all which expences are charged to the public expenditure; so that the English owner and occupier of land pays his share to the expence of the Scotch militia, as being a full contributor to the public purse, and he solely and exclusively pays all the expences of the English militia; this the noble Earl earnestly objected to, as filling up the measure of injustice with which the English owner and occupier of land has been oppressed by those who have perverted the system of militia in England. So carefully have they been to protect the owners and occupiers of land in Scotland from any burthens, that in providing for the payment of rewards for taking deserters, they have in this bill directed the regimental clerk or colonel to pay 20s. out of the regimental or battalion fund for each deserter. The noble Earl observed, that if the colonel was not permitted to sell an ensigncy or two, it would be difficult to pay out of the regiment the sums required for that purpose. A long conversation took place between Lord Carnarvon and the Chancellor, on the injustice which Lord Carnarvon observed in the bill, which punished desertion by compelling the man to serve the remainder of his time when he shall be taken; but if the soldier should not join his regiment with due diligence, he is by another clause to be punished by *servitute in the army without commutation of time or place*; that is to say, if any man should arrive two hours later than a court-martial should think

think he ought with due diligence to have done, he may be condemned to slavery for life, to work on the fortifications of some fort in the most inclement of our possessions: a punishment so disproportioned to the offence, that it is an insult to a British legislature to suppose the possibility of its passing, and so absurd, that a man who has loitered on the road for a day, had better convert his offence into absolute desertion in order to convert the heavier punishment into the lighter.

The *Lord Chancellor* stated, that personal property was, by law, as liable to be rated to those charges, as landed or any other species of property: the causes of its not being actually rated in the same proportion, were owing to its peculiar nature, to the impracticability of getting at it so well, to its intangibility, and to other obvious causes. And with regard to what the noble Earl had more than once said respecting placemen and pensioners increasing these rates and charges, he could inform him, and from his own personal experience, that as a placeholder, to which situation, however, some onerous duties were annexed, he paid to the land tax not less than four shillings in the pound; whereas, as a land-owner, for a bit of land which he possessed in the north of England, the rates were so laid, that he got off for about 7½d. in the pound.

On the remaining clauses of the bill, discussion more or less took place, particularly on that clause which related to the trial and punishment of such soldiers as should not use "due diligence" in coming to the appointed place of rendezvous. The provisions were warmly combated by the Earls of Carnarvon and Fitzwilliam, and defended with great ability by the Lord Chancellor, who was followed by Lord Hobart.

The bill being entirely gone through, the House resumed, and ordered the report to be received the next day.

The remaining bills before the House were then forwarded in their respective stages; these were mostly commitments.

The order for summoning the House relative to the Earl of Suffolk's motion respecting the conduct of his Majesty's late Ministers was discharged.

The bills brought up from the Commons were severally read a first time.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 15.

The Marquis of Downshire's estate bill was read a second time, and ordered to be committed the next day.

The West-India dock bill was read a third time and passed.

The French postage bill was read a third time and passed.

Certain accounts, relative to the emoluments of public offices, were brought up, ordered to lie on the table, and a certain number of copies of them ordered to be printed for the use of the Members.

The reports of the several committees, on the marine mutiny bill, the stamp duty allowance bill, the Irish coffee bill, the smuggling prevention bill, the mutiny bill, the miners' militia bill, the Irish controverted election bill, and the Irish Parliament House bill, were brought up and agreed to, and the bills ordered to be read a third time the next day.

The report of the legacy stamp duty bill was brought up, and the bill ordered to be read a third time the next day.

The report of the clergy relief bill was brought up, and the bill ordered to be read a third time the next day.

On the report of a committee of the whole House, leave was given to bring in a bill to better the condition of the Scotch Schoolmasters.

A message from the Lords announced their Lordships' assent to the Irish yeomanry bill, the Woolwich ordnance bill, and several private bills.

The report of the select committee on the amendments made by the Lords on the English militia bill was brought up by the *Secretary at War*, who stated that one of the amendments was rejected by the committee, on the ground of its unnecessarily inflicting severer penalties on disbanded militia-men for desertion. The House having rejected such of the amendments as had been rejected by the committee,

The *Secretary at War* moved, That a committee be appointed to confer with the Lords on the rejection of these amendments; which was agreed to, and the select committee appointed as the committee of conference.

The innkeepers' allowance bill went through a committee, and the report ordered to be received the next day.

The report of the land tax redemption bill was brought up, and the bill ordered to be read a third time the next day.

Mr.

Mr. *Western*, adverting to the additional duties on malt, imposed by the act of this session, called the attention of the House to the manner in which that act was executed in several parts of the country, where circumstances of the most severe oppression have been known to take place, owing, as he understood, to a very extraordinary construction of the word "malt-making," in the late act; a word which, according to the conception of the country excisemen, rendered all persons subject to nightly visits, to having their houses searched, and to other provisions of the excise laws, who should contract with maltsters to have their barley converted into malt, even though for their own private use. This he considered a very singular and unjust interpretation of the act alluded to, as some people in the country were as much in the habit of sending their barley to the maltsters to be converted into malt, as they were of sending their corn to the mills to be ground. As an instance of the authority assumed by the excisemen, he mentioned that very lately one of them came to his house, and demanded his keys to search for malt, which he denied, and upon asking the authority for such a demand, the exciseman quoted this act; he (Mr. W.) wrote immediately to the Secretary of the Board of Excise to complain of this proceeding; and though he wrote a second time, he received no answer, but understood from the Surveyor of the district that the officer was directed to persist in his purpose and practice, for he assured the House that such was the general practice in his part of the country, and that his was the case of many other persons. It was, therefore, he brought the business before the House, in order that Ministers should have an opportunity of explaining, as otherwise he should feel it his duty to move for leave to bring in a bill to explain the act alluded to.

Mr. *Vanstuart* thought it would be rather too late in the session to bring in a bill of the nature announced by the honourable Member. In the mean time he wished to observe, that it never was the intention of the framers of the bill, alleged to have been harshly executed, that such inconvenience should result from it to any class of the people as that described by the honourable Gentleman; and he was sure nothing could be further from the wish of Government. If, therefore, the honourable Gentleman would make application to the Board of Treasury or Excise, he had no doubt that ample justice would be done. He thought it fair, how-

ever, to remark, that it was not unreasonable on the part of the excisemen, at a time that additional duties were imposed, to use increased vigilance to prevent the malsters from secreting their stock; yet it must be a subject of regret, if any severity should be practised, and in such case any complainant might be certain of receiving complete satisfaction. The great latitude of provisions which it was found necessary to make to prevent secreting from the operation of a new tax of magnitude, could not indeed but give rise to some unforeseen inconveniencies, which should be obviated as soon as possible. Redress, however, could certainly be obtained at present by applying to the commissioners of the excise, or, failing them, to the Board of Treasury.

Mr. *Shaw Lefevre* declared that he felt much pleasure in the sentiments delivered by the honourable Gentleman who spoke last; adding, that he had good reason to suspect the malsters were sometimes in the habit of sending their stock from their malt-houses to be concealed elsewhere.

Mr. *Vanflitart* replied, that orders had been given to all officers employed under the act to execute their duty with the utmost lenity, and to give every fair assistance to those who might be unjustly assailed.

Mr. *Western* said, he did not know what orders been given, but he had certainly applied to the commissioners, and had received no answer, only he had learnt that the supervisor had received orders to proceed against him.

The *Chancellor of the Exchequer* said, that the more rigorous provisions of the excise laws were never intended to be enforced but when there was good ground to suspect fraud, and there was much reason on the occasion of a duty such as that alluded to in the present instance, to point out to the revenue officers the necessity of active precaution. He was sorry, however, that any inconvenience had been suffered, and he trusted that no provocation for a similar complaint would occur again. He assured the House and the honourable Gentleman, that when the bill referred to was enacted, the most precise and positive orders were issued by the Board of Treasury, that it should be executed with the utmost lenity and indulgence, and he sincerely lamented that any deviation from those orders should have taken place.

After a few words from Mr. *Vanflitart* and Mr. *Western*, the conversation terminated.

Lord

Lord *Glenbervie* brought up a message from his Majesty, presenting to the House a paper, containing the proceedings of the Lords Commissioners for the redemption of the land tax.

The excise hydrometer bill, Lord Hutchinson's annuity bill, the southern whale-fishery bill, the paper duty drawback bill, the blubber oil, &c. bill, were read a first time, and ordered to be read a second time the next day.

The Irish lottery-office bill passed through a committee of the whole House, and the report ordered to be received the next day.

The resolutions of the committee of supply were brought up and agreed to.

Mr. *Wickham*, by his Majesty's command, presented to the House a copy of the orders which had been issued from the Adjutant General of Ireland's office, on the 19th of May last, respecting the discharge of those serving in the militia: also an extract of the general orders issued to the militia, from the War-office, on the 5th of May; and also a return of the whole militia of Ireland, on the 5th of November last, distinguishing those who were bound to serve for four years, and those only bound to serve till three months after the conclusion of peace. From this last paper it appeared, that the whole militia of Ireland consisted of 23,000 men; those engaged to serve during the continuance of the war, amounting to 16,293; and those engaged to serve for four years, amounting to 6,807.

Ordered to be referred to the committee on the Irish militia bill, into which the House then resolved itself.

Mr. *Wickham* said, he had waited an hour and a half expecting the appearance of a right honourable Gentleman (Mr. Foster) who had given notice of his intention to make some observations on the papers now presented. But as it did not appear that he meant to attend that night, he found himself obliged to make his intended motions in that Gentleman's absence. He then moved, "that the Chairman of the committee be instructed to move the House for leave to bring in a bill to authorise and render valid the discharge of the Irish militia," which was agreed to; and the report having been received immediately, leave was given to bring in the aforesaid bill.

Mr. *Wickham* then moved, "That the House do the next day resolve itself into a committee of the whole House, to consider of the best mode of indemnifying the counties of

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Ireland for any expences incurred by the discharge of the
militia-men, about the period of whose services any doubts
had been entertained." Ordered.

The report of the committee of ways and means was received, the resolutions agreed to, and bills ordered to be brought in upon them.

The report of the bill for the sale of the Irish Parliament House was brought up, and the bill ordered to be read a third time the next day.

The Irish Chancellor's salary bill went through a committee, and the report was ordered to be received the next day.

The Irish uncertificated bankrupt bill was read a second time, and ordered to be committed on Friday.

The Irish 6 per cent. duty bill went through a committee, and the report ordered to be received the next day.

The deer stealing bill was read a second time, and ordered to be committed the next day.

The bill for raising 1,500,000*l.* by Exchequer bills, was read a second time, and ordered to be committed the next day.

The post-horse duty bill was read a second time, and ordered to be committed the next day.

The life of Man bill was read a second time, and ordered to be committed the next day.

The national debt bill was read a second time, and ordered to be committed the next day.

The foreign offence trial bill was read a third time and passed.

The little-goes bill was read a second time, and ordered to be committed the next day.

The excise duty bill passed through a committee of the whole House, and the report was ordered to be received the next day.

The Tortola free port bill passed through a committee of the whole House, and the report was ordered to be received the next day.

The third reading of the election ballot bill was opposed by Mr. *Ellis* as an unnecessary innovation and encroachment on the Grenville act, and as tending to create delay instead of producing dispatch, by rendering it more difficult to find enough of Members to form the committees.

Mr. *Bragge* said, that in the absence of the mover he would undertake to defend the bill. As to its being an innovation on the Grenville act, though that bill allowed more than one committee

committee in one day, yet this had never been acted upon, as it might have interrupted the public business; and this being the case, he conceived the present bill could not be considered as an innovation on the principle of the Grenville act; it only prevented the risk of an improper suspension of public business.

Mr. *Banks* said, he was not at all concerned about the success of this bill, as it appeared to him of that nugatory kind which do neither good nor harm; but if the question was put, he should vote against it as altogether unnecessary.

Mr. *Bragge* explained.

The bill was then read a third time and passed.

The House then adjourned.

HOUSE OF LORDS.

WEDNESDAY, JUNE 16.

Counsel and evidence were heard on the claim of Mr. Brydges to the barony of Chandos, and the farther proceedings were put off till next session.

A great number of public and private bills were brought up from the Commons. Among the former were the Irish coffee bill, the marine mutiny bill, the cornish miners' militia bill, the Irish controverted election bill, and the bill for the sale of the parliament house of Ireland.

The bills on the table were then read in their stages.

The committee on the debtor and creditor bill was, on the motion of Lord Alvanley, put off till the next day, when some amendments were to be proposed in it. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 16.

The Irish coffee bill, the clergy residence bill, the foreign post bill, the Irish parliament house alienation bill, the miners' militia bill, the mutiny bill, and the stamp duty bill, were read a third time and passed.

The smuggling bill was read a third time. Mr. Vansittart moved for a clause for punishing smugglers as rogues and vagabonds. The bill then passed, and was ordered to the Lords.

The reports of the auction duty bill; the inkeepers' allowance bill, the Irish controverted election bill, the Tortola free port bill, the Irish six per cent. duty bill, the Irish Lord Chancellor's salary bill, and the Irish lottery licence bill, were

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were received, and ordered to be read a third time the next day.

The House in committees went through the illegal lotteries prevention bill, the 1,500,000*l.* loan bill, the Irish uncertificated 'bankrupts' bill, the Isle of Man trade bill, and the national debt bill. The reports were ordered to be received the next day.

The House resolved itself into a committee on so much of an act of the present session as relates to the duties on spermaceti, and the exports and imports of the American colonies restored to the Batavian Republic. The report ordered to be received the next day.

The blubber and oil duties bill, the paper duties bill, the Milford Haven fishery bill, the new hydrometer bill, and Lord Hutchinson's pension bill, were read a second time and committed for the next day.

The deer-stealing bill went into a committee, the Chairman reported progress, and the committee had leave to sit again the next day.

Upon the motion of Mr. Vanstuart, it was ordered that the committee on engrossed bills from the Lords should have leave to sit the next day, and at any future time most convenient.

The consolidated fund surplus application bill, the Scotch parish school bill, the 5,000,000*l.* exchequer bills loan bill, the Irish exports and imports duties bill, the Irish militia pay bill, and the Irish militia disbanding bill, were read a first, and ordered to be read a second time the next day.

Mr. Corry moved that the House should resolve itself into a committee to consider of the compensations to be allowed to Irish counties for militia-men discharged. The House resolved itself into the said committee; a resolution that compensation should be granted was moved and agreed to, and the report was ordered to be received the next day.

A message from the Lords informed the House, their Lordships had agreed to the militia-adjutants' allowance bill, the poor house bill, the volunteer corps bill, the national debt bill, the Irish linen manufactory bill, the soldiers' trades bill, the police bill, and several private bills.

COMMITTEES.

The *Chancellor of the Exchequer* said, it must have been an observation frequently made in the course of the session, that great inconvenience had been experienced for the want of
proper

proper accommodations for committees. He should move for a committee to consider of the best mode of obviating it in future. A report might be made in three or four days, the result of which might be presented to his Majesty, with a view to the necessary accommodation being provided during the recess. He concluded by moving, "That a committee should be appointed to consider of a plan to be submitted to his Majesty for providing additional committee rooms and offices for the use of the House." Agreed to.

Adjourned.

HOUSE OF LORDS.

THURSDAY, JUNE 17.

The *Secretary at War* attended by several Members, appeared at the bar, and on the part of the Commons requested a conference with their lordships' relative to the amendments made by them to the Militia augmentation bill. The Messengers having withdrawn, the desired conference with the Commons was ordered, on the motion of Lord Hobart, to take place the next day in the painted chamber.

The messengers of the Commons were then called to the bar, and the Lord Chancellor acquainted them that their Lordships would hold a conference with the Commons, as above stated.

The bills before the House were forwarded in their respective stages.

Mr. *Clementson* presented certain accounts from the commissioners of Westminster Bridge, which were ordered to lie on the table.

The report of the committee on the Scotch Militia bill, was taken into consideration, when the several amendments, after a short conversation, and chiefly of an explanatory nature, between the Earls of Carnarvon, Fitzwilliam, and Lord Hobart, were agreed to by the House; as were one or two more additional amendments, proposed by Lord Hobart; after which, the bill was ordered to be read a third time the next day.

DEBTORS RELIEF BILL.

The order of the day for their Lordships' to go into a committee on the Debtors' relief bill being read,

Lord *Alvanley*, pursuant to his notice of the preceding day, rose to oppose the proceeding; and, at the same time, stated his objections to the bill at some length; these chiefly rested on

on the principle which he generally stated on a former evening, namely, the injurious operation of the principal clause of the bill, with respect to the unfortunate debtor, whom it would go to place in the most disadvantageous situation in which a bankrupt could be placed, without affording him any of those benefits which the bankrupt laws allowed. He seemed also to deprecate the bill, as it went to affect the leading provisions of the act of the 32d of George II. And in arguing those points, his Lordship necessarily touched upon various provisions of the existing laws respecting debtor and creditor. On many of these grounds, he also enforced his objections to the bill. Upon the whole, for the reasons he had adduced, added to the consideration of the late period of the session, which naturally precluded an attendance sufficiently full, as well as sufficient time for the due consideration and discussion of points of such importance, he deemed it incumbent on him to move, "That instead of "now," the bill should be committed this day three months."

The *Lord Chancellor* said, he rose not to oppose the noble and learned Lord's motion, for he was also of opinion, that at this late period of the session, it was proper to defer the bill until such time as the House should be better able to consider its merits. Had the noble Lord contented himself with moving to postpone the bill on that ground, he should not have felt it necessary to trouble their Lordships upon the occasion, but some points which fell from the noble Lord, called, he thought, for observation upon his part. He then followed the noble and learned Lord through the whole of his legal arguments. In some points, the Lord Chancellor seemed to differ essentially from Lord Alvanley, and in the course of his observations on the bankrupt laws, which that noble and learned Lord had more than once adverted to, he stated, after alluding to his former extensive practice in these matters, his opinion that 54 out of 60, or at least 50 out of three-score, commissions of bankruptcies originated in the non-liability of the future effects; he argued that an equal measure of justice should be shewn to the creditor and the debtor, and he instanced some cases in which the humanity and forbearance of creditors were conspicuous, particularly on the occasion of an insolvent bill, which he had introduced into the other House of Parliament, when every suggestion which came from creditors was to their honour in those scores. On the whole, he contended that the bill was not liable to the objections urged against it by the noble Lord;

Lord, however, on the grounds he had adverted to in the beginning of his address, he concurred in his motion.

Lord *Alvanley* spoke shortly in explanation. He agreed with the noble and learned Lord, in many of those points which he had so ably stated, but must observe, that it was not on these grounds which he had in a great degree softened, that he (Lord *Alvanley*) objected to the bill; were the laws connected with it, suffered to remain in their present state, the bill would not, he acknowledged, be so objectionable.

The Earl of *Carysfort*, after adverting to the late period of the session, and the thin attendances which were to be expected, as a justifiable ground for postponing the bill, took occasion to notice an observation of the learned Lord who opposed the bill, namely, that if the existing laws relative to the points in question, were to remain unaltered, the bill might be proper. On these grounds, when he considered what the noble and learned Lords had stated, that they had existed for nearly a century, he thought the sense of the Legislature pretty well expressed: they had no reason to suppose that they should be altered; therefore, in that view of the case, he thought the bill might be favourably considered.

The question was then put, on which the bill was ordered to be committed that day three months. It is consequently lost for the present session.

Some private business was then disposed of. Adjourned.

HOUSE OF COMMONS,

THURSDAY JUNE, 17.

The honourable Christopher Hutchinson took the oaths and his seat for the city of Cork.

The Irish controverted election bill being read a third time,

Mr. *Lee* brought up a clause to exclude counsel from pleading before the commissioners.

Mr. *Alexander* thought this clause disgraceful to the Irish bar. It would likewise be nugatory, as barristers would, nevertheless, attend and suggest questions to the different parties. By an act of the Irish Parliament, barristers were excluded from speaking at elections, by which means they themselves were not only deprived of a constitutional privilege, but the expence of the candidates was greatly increased. The agents and attornies were incompetent to decide the complicated questions which arose concerning the qualifica-

tions of electors, and the barristers still constantly interfered though in a way less creditable to them, and less beneficial to their clients.

Mr. *Serjeant Moore* maintained that the act alluded to had produced the happiest effects, and that this clause being framed upon the same principles, would be found equally useful. He had been employed professionally at elections, and always found himself—degraded. He was confident the bar would rejoice at being freed from such an unpleasant employment. Even if they were to be so dishonourable as to wish to interfere in express violation of law, the commissioners would not allow them.

Mr. *Dawson* said, if Gentlemen would consider the delay and expence occasioned in courts martial by the secret interference of barristers, they would see the bad effects that would arise from this clause. Wherever counsel were necessary or wished for, it was much better to allow them to plead openly.

Mr. *Bragge* denied that there was the smallest occasion for their assistance. The commissioners were not to act as judges, but merely to take evidence and transmit it to this House.—Who ever heard of commissioners for this purpose, appointed by the Chancellor, being assisted by counsel? Their interference could only produce perplexity, expence and delay.

After some explanations between the different speakers, the clause was read a third time, and added to the bill by way of rider.

On the question being put that the bill be passed,

Mr. *Dawson* said, he had hoped that this bill would not have been pressed in the absence of the Irish Members, few of whom now remained in the House. It was, however, some consolation to him, on the introduction of so absurd a bill, to find that the insufficiency of the two former bills of the same nature was owned by the mover. Under pretence of removing the cognizance of the subject from the Sheriffs, as it was supposed they might appear to act under the influence of the crown, it was delivered over to a tribunal every way more so. Assistant barristers, and their different officers, had been successively introduced and given up; and now it was intended to lodge the powers which belonged only to the Irish House of Commons, in a commission of Irish barristers. An appearance of adhering to the constitution, was indeed preserved by the ultimate decision belonging to a committee of the imperial parliament. But no witnesses were to be summoned before it; and thus all the effect of cross-

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IRISH ELECTION BILL.

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cross-examination was entirely lost. The business also was in danger of being often interrupted; for though the barristers who did not attend the commission, were liable to be fined; yet if they could turn the time of their attendance to more advantage than the amount of the fine, was not there a danger that they would prefer incurring it? Nor did this interruption extend to an individual case; for, he understood, it was intended one commission should serve for all cases, and hence the absence of any of its Members would interrupt the whole contested elections of Ireland. He contended, that it was unjust to pass this bill in the absence of the Irish Members; and he appealed to the feelings of the English, the Scotch, and the Welch Members, if they would allow such a bill to pass for any of their own counties. For his own part he could perceive no advantage to be derived from this bill; he even thought that adhering to the Grenville act, and trying the causes under it in London, would put candidates to as little expence as trying these causes under this bill in Dublin.

Mr. Leigh said, that the present bill had been formed agreeable to the opinion of the ablest, and wisest, and most learned men in the House. The former bills had not been given up on account of insufficiency, as they had never been put to the test; no controvered election for Ireland having occurred since they were passed. This bill only differed from the first in appointing barristers to an office for which they were best qualified; nor was there any deviation from the Grenville act, but where circumstances rendered it necessary. No period, he conceived, could be better chosen for bringing forward the present bill than the eve of a general election, as its sufficiency would immediately be brought to the test; and if found insufficient, it could next session be repealed; and no one should in that case be more ready to move for its repeal than himself.

The bill was then passed.

The *Secretary at War* brought up the report of the committee appointed to draw up the reasons for the Commons disagreeing to certain of the amendments made in the English militia bill by the upper House.

The report being agreed to.

The *Secretary at War* moved, That a conference be demanded with their Lordships upon the subject matter of these amendments.

This motion was carried, and the Secretary at War was ordered to be the bearer of the message.

The bill for the preservation of black game in the New Forest was lost, the report being ordered to be taken into consideration that day three months.

Sir *H. Mildmay*, who brought it in, said he found it would interfere with the manorial rights of some Gentlemen who had not an opportunity to oppose it.

Mr. *Lushington* presented a petition from the ship-owners of the port of London, against the tonnage duty.

Mr. *Lushington* said, the ship-owners were aware that nothing could be done for their relief this session. Their object was, to shew that they were confirmed in their opinion that this was a tax they were quite unable to bear. The Chancellor of the Exchequer had told them, that if against another session of Parliament the tax should be found impolitic, he would agree to its repeal. All the petitioners wanted was, that a full and fair investigation should take place, as they were confident that in that case, their grievances would certainly be redressed. He hoped it would ever be recollected that our naval greatness depended upon our commercial navigations, and that by impositions of this kind we tampered with our very existence. The petition was ordered to lie on the table.

The Secretary at War reported from the Lords, that their Lordships had agreed to a conference upon their amendments on the English militia bill, and had appointed it to take place the next day in the Painted Chamber.

Mr. *Wallace* said, it would be utterly impossible to get ready for some time, the papers moved for by an honourable Gentleman, relative to the late revolution in the Carnatic. The honourable Gentleman had given notice, that he would the next day make a motion upon this subject; notwithstanding, he wished to know if the honourable Gentleman persisted in his intentions, and what the nature and object of his motion would be.

Mr. *Nicholls* said, he certainly intended to make a motion upon this subject; but an honourable Gentleman who had taken it up before him, had returned to the House, and he understood, was to bring it forward on Tuesday next. He willingly surrendered it into his hands, and should take that opportunity to deliver his own sentiments.

Mr. *Sheridan* said, he certainly meant on Tuesday next, to draw the attention of the House to this most important matter. However, at this late period of the session, and
when

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FINANCE.

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when the necessary information had not been procured, he could not expect that the House would come to any definitive resolution upon it.

Mr. *Tierney* rose to lay before the House, the string of financial resolutions, which for some years back he had been in the habit of bringing forward as a counterpart to the statement made by the Chancellor of the Exchequer. He did not now expect that any debate would take place upon them, but that what discussion they might give rise to, might be deferred to a future day, after Gentlemen had leisure to take them into due consideration. He then proceeded to state as follows:

That the amount of the public funded debt on the 1st of February 1793, was 238,231,248*l.* exclusive of long and short annuities for lives, to the amount of 1,373,550*l.* of which sums, stock to the amount of 10,242,100*l.* had been purchased by the commissioners for redeeming the national debt, and the annuities to the amount of 79,880*l.* had fallen in, and been carried to their account, reducing the actual amount of the debt on the first of February 1793, to 227,989,148*l.* and the annuities to 1,293,670*l.* And that on the first of February 1802, stock to the amount of 39,885,308*l.* had been purchased by the commissioners, and stock to the amount of 18,001,148*l.* had been transferred to them on account of land tax redeemed, and annuities to the amount of 125,707*l.* had fallen in, reducing on the first of February, 1802, the actual amount of debt existing before the war to 180,344,792*l.* and the annuities to 1,247,843*l.*

That the total amount of stock, created since the first of February 1793, (including the amount created by sums borrowed in the present session of Parliament, and after deducting 20,400,003*l.* purchased by the commissioners for redeeming the national debt) on the first of February 1802, is 338,138,360*l.* of which sum the interest on 7,502,633*l.* is payable by the Emperor of Germany, and the interest on 22,348,000*l.* is payable by Ireland, and that annuities have been granted since the first of February 1793, to the amount of 550,460*l.* of which 9,791*l.* is payable by Ireland, and 230,000*l.* by the Emperor of Germany.

That the total amount of the public funded debt (including the amount created by the sums borrowed in the present session, (and after deducting 60,375,311*l.* purchased by the commissioners, and 18,801,148*l.* transferred to them on account of land tax redeemed) was on the first of February 1802,

1802, 518,483,152l. of which sum 29,850,633l. is on account of Ireland, and the Emperor of Germany, leaving a funded debt charged on Great Britain, of 488,632,519l. and that the amount of annuities charged on Great Britain (after deducting what have fallen in) was, on the first of February 1802, in short annuities, and for lives, 543,300l. and in long annuities, 1,015,410l.

That under the heads of treasury, army, ordnance, barracks, and advances from civil list (after deducting the surplus of ways and means of 1801) outstanding demands, as far as the same can be made up, remained to be provided for on the fifth of January 1802, to the amount of 3,261,967l.

That the unfunded debt in exchequer bills unprovided for, or provided for out of funds which have proved insufficient, was, on the fifth of January, 1802, 13,744,443l.

That the debt of the navy remaining to be provided for, was, on the fifth of January 1802, 9,073,070l. and that the total amount of demands, outstanding navy debt and exchequer bills unprovided for, or provided for out of insufficient funds, was, on the fifth of January 1802, 26,079,480l. of which sum 12,165,013l. has since been made good out of the supplies of the present session, leaving an unfunded debt of 13,913,867l. to which 5,000,000l. of exchequer bills, voted in the present session, being added, makes a total of unfunded debt, hereafter to be provided for, of 18,913,867l.

That the total debt may be stated as follows, viz.

Total amount of the public funded debt unredeemed	—	—	£. 518,483,152
1,015,410l. long annuities, valued at 25 years purchase	—	—	25,385,250
Unfunded debt	—	—	18,913,867

562,782,369

Of this sum Ireland and the Emperor of Germany are chargeable with the interest on	29,850,633
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Leaving a total debt charged on Great Britain (exclusive of 543,000l. short annuities, and any further sums necessary for winding up the expences of the war) of — 532,931,766

That the sum applicable to the reduction of the total funded debt was, on the first of February 1793, 1,427,143l. and on the first of February 1802, 5,809,330l. to which must be added 26,390l. being one per cent. on part of the loan of the present year, making a total of 5,835,720l. of which

which sum 5,587,391. is applicable to the reduction of the debt charged on Great Britain.

That the annual charge incurred by the permanent debt on the fifth of January 1793, was 10,325,8661. including 1,000,000. applicable to the reduction of the debt.

That the annual charge incurred by the permanent debt created since the fifth of January 1793 (exclusive of interest payable by Ireland, and including the charge incurred by the loan of the present session, but exclusive of 48,0001. interest on deferred stock) is 13,557,6001. of which sum 2,462,1001. is the one per cent. sinking fund on the capital of the said debt, applicable to the reduction thereof; and that a further charge of 497,7351. per annum, is guaranteed by Parliament, in default of payment of the interest of certain loans by his Majesty the Emperor of Germany.

That the net produce of the permanent taxes, existing previous to the war, was, on the fifth of January 1793, 14,284,0001. and on the fifth of January 1802, 13,221,6821.

That the net produce of the permanent taxes, imposed since the fifth of January 1793, was, on the fifth of January 1802, 9,187,2881.

And that the total amount of the permanent taxes, was, on the fifth of January 1802, 22,408,970.

That the total official value of all imports into Great Britain, in the year ending the fifth of January 1793, was 19,659,3581. and on an average of six years, ending the fifth of January 1793, was 18,685,3901.

That the total official value of all imports in the year ending the fifth of January 1802 (supposing the imports from the East Indies, of which no account has been made up, to be the same as in the preceding year) was 32,217,0321. and on an average of six years, ending the fifth of January 1802, was 26,964,0361.

That the total official value of British produce and manufactures, exported in the year ending the fifth of January 1793, was 18,336,8511. and on an average of six years, ending the fifth of January 1793, was 14,771,0491.

That the total official value of British produce and manufactures, exported in the year ending the fifth of January 1802, was 25,719,9791. and on an average of six years, ending the fifth of January 1802, was 21,631,0501.

That the total official value of foreign merchandise, exported from Great Britain, in the year ending the fifth of January 1793, was 6,568,3461. and on an average of six years, ending the fifth of January 1793, was 5,469,0141.

That

That the total official value of foreign merchandise, exported in the year ending the fifth of January 1802, was 16,523 480*l*. and on an average of six years, ending the fifth of January 1802, was 14,104,700*l*.

That the total sum to be raised in Great Britain, in the year 1802, may be estimated as follows, viz.

Interest of the public funded debt, charges of management, and sinking fund, on the fifth of January 1802, after deducting interest payable by Ireland £. 22,444,564

Interest, &c. to be incurred and paid between the fifth of January 1802, and the fifth of Jan 1803, on stock created by loans of the present session, to the amount of 30,351,375*l*. - 875,430

Interest on exchequer bills, estimated to be the same as paid in the year ending the fifth of Jan. 1802, 1,121,890

Proportion to be defrayed by Great Britain, according to the articles of union, of the civil list, and other charges on the consolidated fund of Great Britain, amounting to 1,197,134

Civil government of Scotland, pensions on revenue, militia, and deserters' warrants, bounties for promoting fisheries, &c. &c. estimated to be the same as in the year ending 5th January 1802.

Charges of management of revenue, estimated to be the same as in the year ending 5th of January, 1802 1,871,861

Supplies voted for 1801, on account of Great Britain exclusively 8,409,498

Proportion to be defrayed by Great Britain, according to the articles of Union, of the supplies voted for Great Britain and Ireland, amounting in the whole to 36,959,025*l* - 27,443,491

Total amount of supplies for 1801, to be defrayed by Great Britain 35,852,964
Advance to Ireland 2,000,000

Interest payable for loans to Emperor of Germany 497,735

Making in the whole the sum of 65,861,578

That

That the interest of the public funded debt, charges of management, and sinking fund, after deducting interest payable by Ireland, is	£. 23,520,003
That the interest on Exchequer bills, exclusive of three millions not at present bearing interest, cannot be estimated at less than	450,000
That the interest on navy debt cannot be estimated at less than	150,000
That of the present charges on the consolidated funds of Great Britain and Ireland, the proportion to be defrayed by Great Britain is	1,376,824
That of the miscellaneous charges of Great Britain and Ireland, the proportion to be defrayed by Great Britain cannot be estimated at less than	397,060
That the charge of the militia of Great Britain cannot be estimated at less than	220,000
That of the charges of Chelsea and Kilmainham hospitals, and widows' pensions in Great Britain and Ireland, the proportion to be defrayed by Great Britain, cannot be estimated at less than	262,589
That of the half pay of the army of Great Britain and Ireland, the proportion to be defrayed by Great Britain, cannot be estimated at less than	400,000
	<u>26,776,476</u>
That of the charge of the navy (supposing the number of seamen employed to be reduced from 70,000, their present amount, to 30,000, for the year 1803), the proportion to be defrayed by Great Britain cannot be estimated at less than	2,542,513

That supposing the produce of the permanent taxes to be the same as in the year ending the 5th of January, 1804, being their highest amount, the income applicable to the peace establishment of Great Britain, may be estimated as follows, viz.

Old permanent taxes	£. 35,740,000
New permanent taxes, including 1801	10,395,246
Taxes imposed in present session	4,000,000
Land and malt	2,558,000
Estimated profit on lottery	360,000

33,053,246

598 WOODFALL'S PARLIAMENTARY REGISTER. [COMMONS,
Which sum being so raised would, after deduct-
ing certain estimate charges to the amount of 30,318,989

Leave towards the charge of the army, ord-
nance, and contingencies, a surplus of 2,734,257

That the actual charge of the army and ordnance for Great Britain and Ireland, for six months, ending the 5th of January, 1803, exclusive of army extraordinaries, militia, half-pay, Chelsea, &c. to be defrayed by Great Britain, is 2,415,162l. being after the rate of 4,820,324l. per annum.

That supposing a reduction to take place to the amount of 20,000 men, with a proportionate reduction in the barrack and ordnance departments, the total charge to be defrayed by Great Britain for the army and ordnance, exclusive of army extraordinaries, militia, half-pay, Chelsea, &c. may be estimated for the year 1803, at 3,729,358

And that upon such an establishment the charge of army extraordinaries to be defrayed by Great Britain cannot be estimated at less than 600,000

Making (exclusive of contingent charges, and of 497,000l. interest, due by the Emperor of Germany, and guaranteed by Parliament) a sum of 4,329,358

Which, after applying the estimated surplus of taxes 2,734,257

Would leave a deficiency for the service of 1803, to be provided for, of 1,795,101

After going through the statement, the honourable Gentleman moved his first resolution *pro forma*, leaving it to the right honourable the Chancellor of the Exchequer to appoint a future day for the discussion of the resolutions.

The Chancellor of the Exchequer said it was not his intention to offer at present any observations upon the statement laid before the House by the honourable Gentleman; and he presumed it to be the wish of the honourable Gentleman that the same proceeding which on former occasions had been adopted relative to the subject should again be resorted to. It was not necessary that any distinct order should be made upon them; but merely that it should be understood that the resolutions were to be printed, and to be considered on a future day (that day fortnight.) In the mean time he should present other resolutions, and have both considered on the

[June 18.]

MISCELLANEOUS.

same day. The debate was then adjourned to that day (Monday) next.

The *Chancellor of the Exchequer* then gave notice that he should bring forward his resolutions on Monday next.

Mr. *Vanfittart* moved that there be laid before the House an account of the sums of money advanced to the commissioners for the use of the provisional cavalry. Ordered.

The Scotch schoolmaster's bill, the five million note of credit, and the Irish imports and exports duty bills, were read a second time, and committed for the next day.

Lord *Hutchinson's* annuity bill, the deer-stealing bill, and the Irish uncertificated bankrupts' bill, were committed, and the report ordered for the next day.

On account of the absence of Sir *William Elford*, the committee on the paper duty bill, was deferred till the next day.

The *Exchequer bills* bill, the land-tax redemption bill, the *Isle of Man*, the national debt, and little-go bills were reported; and ordered to be read a third time the next day, if then engrossed. Adjourned.

HOUSE OF LORDS,

FRIDAY, JUNE 18.

About twenty bills and messages were brought up from the Commons and presented by Mr. *Alexander*, Mr. *Burdon*, and others, and read a first time.

MILITIA BILL.

A conference was held with the Managers on the part of the Commons, in the painted chamber, of which the Duke of *Norfolk* was named President, and the Earl of *Essex*, the Earl of *Carnarvon*, the Earl of *Rosslyn*, Lord *Auckland*, Lord *Hobart*, Lord *Pelham*, Lord *Radnor*, Earl *Fitzwilliam*, and others, were named Managers for the Lords. They returned with a new bill, and the reason assigned by the Commons for disagreeing with their Lordships in regard to some of their Lordships' amendments. Ordered that the same be taken into consideration on Monday next.

BERKELEY PEDIGREE.

The order of the day for taking into consideration the motion to repeal the standing order, No. 129, being moved and read,

The clerk read the standing order at length.

The Earl of *Suffolk* then said, he could have wished that the noble and learned Lord who had moved for the repeal of

the standing order, and for whose opinions he entertained the greatest deference, had stated the grounds upon which he moved for the repeal of an order, under which great good had refused; he had hoped that at least some part of it would have been suffered to remain, because undoubtedly the recording the claim of peerage, and the delivery of Peers' pedigrees, had, in various instances, been of the highest utility. He would mention an instance, and that his own case, which he knew extremely well. His father, his Lordship said, was a seventh son, and had fallen at the siege of Carthagena, for he was a military man, when he was himself an infant of two years old. He had not, therefore, known his father, and such had been the case with his father, as his grandfather died coming from America, in the *Swallow* sloop of war, of which he was captain, when his father was an infant. The little prospect of the two Earldoms that he held devolving to him would have occasioned the difficulty and embarrassment of having to prove descents of the titles of Earl of Suffolk, and Earl of Berkshire, for ninety years together, had not a particular circumstance intervened, but as it was, he had the descents of seventy years to prove, and how could he have done it if the pedigrees had not been delivered in? The present standing order had been made in the case of Lord Parham, after much consideration, and therefore he hoped that it would rather be amended, if there was any part of it productive of mischievous or improper consequence, than wholly repealed. In his own particular case, he narrowly escaped death, while on duty, in America, a mutineer having presented a rifle to his breast; he however related, and did not put him to death. What situation then would his son and heir be in, with respect to proof of pedigree, did not Peers enjoy the benefit of this order? This recalled to mind the recent and unfortunate loss of his son, and affected his feelings so forcibly, that he could with difficulty get the better of them. He therefore said, he would content himself with the single instance he had mentioned, and merely state his wish, that the order might be modified, but not at that period of the session repealed, without further consideration.

Lord Thurlow said, he was sorry that he had not explained the grounds on which he moved the repeal of the standing order, or that the noble Earl had not been present when he had done so, on a former day, because it would have saved the noble Earl the trouble and pain he had been put to. He had

had been induced to move its repeal, because, in consequence of the authority it gave in one part of the order it contained, a cause had been under trial before a jurisdiction not competent to entertain it, upon which it could not decide, and before which legal evidence could not be given. That cause, too, his Lordship said, was the cause of minors, who were not before the House either themselves or by trustees. With regard to the first part of the order, that which referred to the delivery of pedigrees, and all the useful result to which the noble Earl had spoken, he highly approved of it, and should be as ready as any one noble Peer, after the standing order was repealed, to assist in framing a new order, that should contain that part of the present standing order, and amend it still further. To the second part he had some objection, and to the third still more, which would let in peerages and Peers of different descriptions, and Roman Catholic Peers, who could not otherwise exhibit pedigrees, as they were excluded from seats in the House. His Lordship enlarged upon these two orders which it contained, and shewed that they led to the sort of improper course which had been put a stop to by the adjournment of the committee of privileges further proceeding in the case of the noble Earl to whom the stirring the present subject referred. The former proceeding having gone to the length that it did, it was due to common justice and humanity, to the feelings of those concerned, to repeal the standing order under which such proceedings had been entertained.

The Duke of *Norfolk* rose with great deference to the noble and learned Lord, to differ somewhat in opinion even from such high authority; he saw no reason why the whole order should be repealed without further consideration, and more deliberate discussion than the House could at that period of the session give to it. In one fact stated by the noble and learned Lord, he believed the noble and learned Lord was in an error, viz. that Roman Catholic Peers were not allowed to prove their pedigrees. He conceived the fact was otherwise, because although, for reasons of state, Roman Catholics were not allowed to take their seats in that House, yet it would be the highest injustice to deny them the exercise of the right to prove their claim of peerage; they or their descendants might think fit to change their religion, and by conforming, entitle themselves to a seat in the House. Ought a depending or future claim of that sort to be prejudiced or defeated? Undoubtedly no noble Lord would say it ought.

ought. With regard to the standing order, his Grace said, that much advantage had been derived from it; that it was made in the year 1770, in consequence of the case of Lord Willoughby, of Parham, which happened about 1767; that it had been deemed a wise and necessary order by our ancestors, and that it had the authority of thirty-two years in its support. He had, he feared, been the cause of the consideration of the order having been deferred to that day, as it had been put off to suit his convenience, and he was sorry for it, as it had deprived him of the presence of another noble and learned Lord, the Lord Chief Justice, from whom he had received a letter, expressing a regret that it was impossible for him to attend that day, but that he had not quite made up his mind upon the motion for the repeal of the standing order. To that noble and learned Lord's authority he had to add that of the late Lord Mansfield, Lord Bathurst, Lord Camden, Lord Grantly, and Lord Ashburton, (names certainly of great and respectable men) who had all concurred in supporting the order. The Duke touched on the case of Lord Berkeley, and the proceedings that had been had upon it, and contended that the having adjourned the committee *sine die* had done no prejudice, that it left the case unaffected and uninjured, and therefore he saw no reason on that account to repeal the order. If it did contain improper parts, those might be modified and amended without repealing the order (and he hoped that such would be the opinion of the House) or to postpone the consideration of it to a future day, early in the next session, when it might be more deliberately resumed.

The Lord Chancellor left the Woolpack to say a few words before the House came to a decision on the question. He said, that with regard to the admissibility of such testimony as had been received in the proceedings in that House, in a committee under the standing order now moved to be repealed, he was ready to assert that nine-tenths of it could be received as legal evidence nowhere; but still there was something to be collected from the other part of it, which had in it so much of the character of evidence, that it might prove useful in a court of law in aid of other testimony. He alluded to the testimony of a father as to the situation of his family; as far as that went, it was equal to the authority of a father's entry of the baptism of his child in a leaf of the family bible, or to any memorandum of it in writing at the time. Certainly, however, if the House encouraged

encouraged such a course of irregular, and generally speaking, nugatory proceeding, as had taken place in Lord Berkeley's, it might do mischief hereafter out of that House. If a Peer desired to prove his pedigree in that House, he was intitled so to do, but it ought to stop short with the person in possession of the rank and honours, and not to go into a fruitless and premature enquiry of what would be the rights of his successor, whoever that might be. When the Peer now in possession should be no more, it would be time enough to hear proof of the claim of his successor. With regard to the delivery of a pedigree into that House, that of itself was no higher proof in the view and consideration of law, than if the pedigree had been kept locked up in a Peer's possession, in his desk or escrutoire.

Lord *Auckland* rose to say a very few words. He thought it would be a more proper way of disposing of the subject to refer it to the consideration of a committee of privileges, who might frame such new order fit to be moved immediately following the repeal of it, if the committee should think it ought to be repealed. He owned that his mind was not ripe to agree to a repeal of the order, before he saw what was to be moved to come in the place of it, he therefore would conclude with moving an amendment, to leave out the the word "repeal" and insert the words "be referred to a committee of privileges."

The Duke of *Norfolk* said, that would satisfy him completely.

Lord *Thurlow* then rose and said, that he moved for the repeal of the standing order, because it was in justice and humanity due to the feelings of the noble Earl and his family. It appeared to him as the next and natural step to be taken after the putting an end to the committee in which improper proceedings had been suffered to take place, and, when the order was repealed, it would be right to follow it up with framing a new order, in which due provision might be made for all the good that the present standing order was capable of producing.

Lord *Auckland* said, he saw little difference, after the noble and learned Lord's explanation had been made, in proceeding in the way the noble and learned Lord had recommended, or persisting in his amendment; of the two his own feelings led him to prefer the latter.

The Earl of *Roxburgh* said, that he in some degree, felt as his noble Friend did, who had just sat down, but as to the

case

case referred to by the noble Duke, that of Lord Willoughby of Parham, he was particularly well acquainted with the facts of that case. They were as follow: One of the sons of an elder branch of the family of a Lord Willoughby, in possession, went to America, and there settled. By so doing, he became, as it were, lost to his family, and in a course of time, no person here knew of his having, after he migrated, left a family behind him at his decease. In process of time, it not being known that any of the elder branch of the family existed, the peerage of Willoughby of Parham was claimed by one of the descendants from the younger branch, and he was admitted to take his seat, to which his son succeeded; and after him a third of the descendants of that branch; by this time a descendant from the migrated son in America, had come to London, settled here, amassed a considerable fortune, and was well known in London as a man of wealth and worth. He at length discovered that the peerage had gone in the wrong line, for the then possessor and his two predecessors, had no right; but it had been the right of his ancestors, and was then his own due right. He did not, however, claim it, because it might be difficult to establish it against a Peer in possession, and that Peer of most excellent character, and universally respected. The Earl said, the claim to another peerage for which he had been concerned at their Lordships' bar, had some remarkable circumstances in it, viz. the claim of Norborne Berkeley, to the title of Lord Botetourt, which was ultimately obtained. In that case, he had to establish the descent of the peerage from the time of Edward the Second down-ward, and they were able to do it without difficulty till they came to the two last descents, in which they were under considerable embarrassment, on account of the commissions to enquire having been lost at the herald's office, though as the testimony itself got as under the authority of those commissions, was produced, it was admitted to be sufficient proof that such commissions had been issued. His Lordship treated, on the use of inquiries into the landed property of Peers, as collateral proof of their claim to Peerage, and related some anecdotes, which did not distinctly reach the reporter's ears, but created some smiles from the Lords present. At length, after concurring with Lord Thurlow and the Lord Chancellor, that the proceedings in that House, under the standing order, could not be received in a court of law as legal evidence, he declared, he thought the claim made improper.

ing would be to vote for the original motion made by the noble and learned Lord near him.

The Earl of Radnor rose, and summarily recapitulated the former proceeding with respect to the Earl of Berkeley, in which he declared that the noble Earl had not been content with proving his own pedigree, but having proceeded further, and gone into matters concerning his childrens' birth, &c. the House very properly interfered, and did not permit him to play fast and loose, but stopped the further proceeding altogether. Lord Radnor said, what had passed in 1799, had tended to afford the eldest son of the noble Earl by his second marriage, hints hereafter how to conduct and manage his claim, if he should chuse to institute any. That being the case, it certainly was right to close so imperfect a state of the matter as that adjournment of the committee left it in; but as to the mode of doing so, he owned he preferred the amendment of the noble Lord near him, to the repeal moved by the noble and learned Lord.

Lord Carnarvon said, he preferred the motion as originally made by the noble and learned Lord (Lord Thurlow) rather than as it stood amended by his noble Friend (Lord Auckland) because the first motion (professedly originating in some late proceedings in the committee of privileges, which demonstrated the imperfection of the order) more distinctly reprobates the sort of trial which arose in the committee, in execution of the order, and involved disputable rights open to future litigation, where the parties, whose real interests were compromised, could not be heard, nor a final decision be legally obtained. He entirely concurred with the noble and learned Lord, that it was necessary to put an immediate stop to the bad effects of such premature discussion, before an incompetent tribunal; and that would be better effected by a peremptory repeal of the order, than by an amendment, that did not affect the object of the amendment; and he was more inclined to adhere to the first motion, because he thought it more necessarily led to the rescinding all the proceedings of the unfinished cause, which arose on the examination of the Earl of Berkeley's pedigree, and the state of his family; as no testimony should be admissible from a suspended cause, in which the whole testimony was not heard.

The Lord Chancellor observed, that he could not let the question pass without dissenting from the opinion of the noble Earl, that it was proper to annul the proceedings, that

it would be an essential injustice to one of the parties, and that he was persuaded that he should be able to convince the noble Earl of the manifest injustice of such a measure.

Lord *Carnarvon* replied, that no person could be more unwilling than himself, to promote a measure which could prejudice the rights of either party; but it would not be easy to convince him, that leaving a half-tried cause open to inspection, was the means to promote essential justice, or that it was not manifest injustice to prevent the noble Earl (Berkeley) from proceeding under the order, to substantiate the statement of his family which he had given in; or if the detected impropriety of the order prevented farther progress, not to annul and erase all that had hitherto taken place in the course of the proceedings. The Earl of Berkeley, called upon by your order, to state his family, had found an opportunity, in some degree, to correct an injury, which, according to his statement, he had by his indiscretion done to his eldest son, by a private marriage with his mother, followed by a second marriage with the same lady, and subsequent male children. He would say nothing of the veracity of the statement; he had yet heard but little, which, as a jurymen, would enable him to give judgment, but the circumstances were extremely possible, and capable of proof, and he was sure, the noble Earl (if his statement was, as his Lordship had no reason to doubt, perfectly true) was bound in duty, to obey the order of that House, by the fullest statement: he was still more bound in honour, in justice, and in compliance with every duty and feeling which could actuate a father's mind, who had, by his indiscretion, hazarded the rights and honours of his eldest son, not to decline this opportunity of doing him the fullest justice, by his own and Lady Berkeley's testimony on their oaths, to a fact which their imprudence had involved in doubt and obscurity. Their eldest son, in a court of competent jurisdiction, would have had a right to their testimony; before the committee of privileges he could only be considered as a witness to the state of his family; he had opened the case, and in part produced evidence, when the committee was adjourned; an unfinished cause must be to the prejudice of some person concerned; it should never have been begun, or ought to be concluded. The cause had been necessarily forced on by the orders of the House; the House was therefore bound to remove the prejudice which any party may sustain by an investigation, either by perfecting and finishing the examination in the usual manner,

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manner, or annulling the whole; and the last, must, in justice, take place, when the House, in their wisdom, have rendered it impossible to do the first, by revoking their order.

The *Lord Chancellor* left the woolsack to declare, that he could not vote for the repeal of the standing order, without entering his solemn protest against the doctrine laid down, by the noble Earl—a doctrine pregnant with the highest injustice.

This gave rise to a debate of some duration, between the two noble Lords.

Lord Pelham supported *Lord Auckland's* amendment.

Lord Bolton did so likewise.

Lord Cliston (Earl of Darnley) in a short speech supported the original motion of the noble and learned Lord.

The House divided on the question, "that the word "repealed" stand part of the question.

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The *Lord Chancellor* pledged himself to the House, to follow up the motion just carried, with a motion for a committee of privileges, to frame a new standing order in lieu of that rescinded.

The order respecting the Scotch militia bill was discharged, and a new one made for Monday. Adjourned.

HOUSE OF COMMONS.

FRIDAY, JUNE 18.

The national debt and little go bills were read a third time, and passed.

An account of the total amount and current balances, and arrears of the customs of Scotland were laid upon the table, and ordered to be printed.

On the motion of *Mr. Alderman Combe*, the original minutes of the committee on the Paddington market petition were ordered to be laid on the table.

SLAVE TRADE.

Mr. Wilberforce rose to express his concern at not having been able to bring forward the motion of which he had given notice respecting the slave trade. Since the time of his having given that notice, he had maturely revolved in his mind the nature of the object he had in view, and the result was; that he did not think the present moment favourable to the cause he had so much at heart. Besides, the session was now

advanced to a period too advanced to expect such an attendance as he should wish. But from what had already passed on this subject, he trusted that effectual measures would be adopted for preventing the further importation of negroes into our West India colonies. Indeed, such was at present the state of the western world, that he should think it advisable to prevent the further importation of capital into that quarter of the globe: but he had chiefly risen to state, that it was not from any coolness to the cause that he abstained from bringing forward his motion, but merely because he saw no disposition in the House to support it. He should most certainly bring it forward early next Parliament, should he have the honour of a seat in that House.

Mr. *Wallace* presented the accounts of the annual revenue of the East India Company, and observed that the late arrival of the ships from India this year had prevented these accounts being laid upon the table at the time prescribed by the act.

The honourable Gentleman next moved for a variety of other accounts respecting India, which were afterwards presented, and ordered to be printed.

Sir *H. Mildmay* presented a petition from several bankrupts, praying to be included in the uncertificated bankrupts bill now before the House. On the motion that the petition be brought up,

Mr. *Corry* observed, that the bill before the House, alluded to by the honourable Baronet, extended only to Ireland; the object therefore of the petitioners could not be answered by it.

An account was presented of the sums disbursed for the use of the provisional cavalry. On a motion that it be laid on table,

Mr. *Shaw Lefevre* made a variety of observations respecting the inconvenience which arose from the Receivers General being obliged to make large disbursements, which in many instances were not as yet refunded.

Mr. *Vanstart* said, that it was his intention to introduce a clause into a bill now before the House, to remedy these inconveniences.

The *Speaker* now informed the House, that the time was come for proceeding to a conference with the Lords respecting the amendments made by their Lordships in the militia bill.

On the motion of the *Secretary at War*, the Members who composed the committee appointed to draw up the reasons which induced the House to disagree with the amendments made by the Lords, were ordered to manage the conference, and,

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and, as their names were called over, they proceeded to the Upper House. On their return,

The *Secretary at War* informed the House, that the conference on the part of the Lords was managed by his Grace the Duke of Norfolk, and that the bill, with the amendments, was left with their Lordships.

The House then resolved itself into a committee on the Irish imports and exports duty bill, which a clause was received for exempting unwrought iron imported. The report, after a few observations from General *Gesfroyne*, was ordered for the next day.

The Irish militia discharge bill, the Irish militia pay bill, the post-horse duty, the consolidated fund, the customs duty, the paper duty, and the five million vote of credit bills, were committed, and ordered to be reported the next day.

The Isle of Man bill, the deer-stealing bill, Lord Hutchinson's annuity bill, the new hydrometer and Milford Haven bills, were reported, and ordered to be read a third time the next day.

Mr. *Nicholls* gave notice, that should the honourable Gentleman, Mr. *Sheridan*, who gave notice of a motion respecting the transactions in the Carnatic, not bring forward his motion on Tuesday, he should submit a proposition to the House on that subject, on the same day.

Adjourned till the next day.

HOUSE OF LORDS.

SATURDAY, JUNE 19.

Mr. *Adam* was heard as counsel against the *Glenkens* canal bill, and Mr. *Dallas* in support of it. After which

The *Lord Chancellor* made a variety of observations against the bill, and concluded with moving, that its further consideration be adjourned till Monday.

Lord *Holland* argued in favour of the bill, but conjured the House to decide upon the bill on Monday, or it would be lost.

The consolidated fund bill, the Isle of Man trade bill, the Southern whale fishery bill, Kingston-upon-Hull port bill, and the uncertificated bankrupts' bill, were brought up and presented by Mr. *Alexander* and others, and were severally read a first time.

Lord *Holland* gave notice that he should on Monday move that the House be summoned, whenever it should be known
on

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on what day the third reading of the aliens bill would take
place, as he highly disapproved of the bill.
Adjourned till Monday.

HOUSE OF COMMONS.

SATURDAY, JUNE 19.

The amendments made by the Lords in the English militia
bill were taken into consideration, and agreed to.

PAPER DUTY BILL.

Mr. *Alexander* brought up the report on this bill, which
was read.

Mr. *Vansittart* then moved to insert a clause, allowing the
wholesale stationers the full drawback of five-pence per pound
on the export of such paper as had paid the five-pence duty,
for the space of three months, subject to certain regulations;
which clause was read a first and second time, and agreed to.

Mr. *Vansittart* also moved certain verbal amendments to
render the clause granting relief to the clothiers in the use of
particular sorts of glazed and other papers more satisfactory
and explicit. The bill was then, thus amended, upon the
question being put, agreed to, and ordered to be engrossed
and read a third time on Monday.

On the motion of Mr. *Vansittart*, the following accounts
were ordered to be laid upon the table:—an account of the
net produce of the excise duties for three years, ending the
5th of January 1802, distinguishing each year, and dis-
tinguishing the several articles of malt, beer, ale, and spirits.
An account of the duties upon customs for the same period,
and distinguishing in the same manner. An account of all
the bounties on corn and rice imported since the 1st of Janu-
ary 1801, to the latest period the same can be made out.

The Irish uncertificated bankrupts' bill, the deer-stealing
bill, Lord Hutchinson's annuity bill, the hydrometer bill, the
Isle of Man bill, and the Milford Haven bill, were read a
third time and passed.

The five million exchequer loan bill, and the Irish militia
discharge bill, were reported, and ordered to be committed
on Monday. Adjourned to Monday.

HOUSE

HOUSE OF LORDS.

MONDAY, JUNE 21.

Lord Hutchinson (of Alexandria), was introduced with the accustomed formalities, sworn, and took his seat. His Lordship's supporters were, Lords Hobart and Pelham.

The order of the day being read for the farther consideration of the Glenkens' canal bill,

Lord *Thurlow* rose, and shortly expressed his disapprobation of the bill as it then stood. He was adverse principally to that provision of the bill which went to authorise the sale of entailed estates, in order to purchase shares in the intended canal.

The Lord Chancellor, in a speech of some length, reprobated the bill, as one of those jobs which but too often come into that House in the shape of private bills. He animadverted generally upon the principle of the bill, and expressed his determination, which had always been his rule of practice, to look at every thing that bore the character of a job on the face of it, and to guard, to the utmost of his power, those moulds which the law had erected for the preservation of private property, and pronounced a very high and appropriate panegyric on the judicial character and constitutional principles of his noble and learned Friend, whose first care was the preservation of the properties of his fellow subjects, and who, in the considerations to which he alluded, was the most experienced Peer in that House. His Lordship strongly objected to the clauses which authorised the holder of an entailed estate in possession to sell part of that estate, in order to accommodate the course of the canal, and added much reasoning in illustration of the right of the proprietor of an estate in fee simple to sell or alienate any part of that estate, and the duty of the holder of an entailed estate to abstain from any such sale or alienation, since he neither could do the one or the other without manifest prejudice and injury to those who were to come after him, born or unborn.

Lord *Holland*, in a long and animated speech, controverted the Lord Chancellor's doctrine, contending that the proximity of a canal, or rather its immediate course through the entailed estates, must be of infinite advantage, as it would facilitate the conveyance of lime and other manure to them, thus greatly tending to the speedy improvement of the estates,
and

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and thereby encreasing their produce, and adding to their
value.

The Earl of *Suffolk*, in supporting the measure, entered
into some details respecting what had passed before the com-
mittee; he contended for the advantage which the canal in
question would be to those parts of Scotland—pointed out the
great advantage North Britain derived from the Clyde and
Forth canal, and insisted that much of the internal improve-
ments of South Britain resulted from the multiplicity and
extension of her canals.

Lord *Alvanley* combated certain provisions of the bill, upon
legal grounds, particularly those relating to the sale of the en-
tailed estates; and he observed, that to pass the bill in its pre-
sent form, would go to set a very injurious precedent.

Lord *Ellenborough* spoke very warmly against the prin-
ciple of the bill, and censured those clauses which went to
authorise the disposal of the properties of others, who could
not be heard in their own behalf, a principle so repugnant to
the laws and constitution of England.

Lord *Dundas* spoke in support of Lord *Holland's* argument,
and in defence of the bill.

At length the House divided on the question, that a particu-
lar clause stand part of the bill.

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Three other clauses were also negatived, and the further
consideration adjourned till the next day.

SCOTCH MILITIA BILL.

On the third reading of the Scotch militia bill, Lord
Hobart introduced a clause, exempting any man from being
chosen a militia-man if he had two children, and did not pos-
sess an estate worth fifty pounds.

Earl *Fitzwilliam* moved an amendment, to omit the word
two, and insert the word *one*. Negatived.

Lord *Hobart* also moved to omit certain words, after which
the bill was read a third time, and passed.

CONFERENCE ON ENGLISH MILITIA AUGMENTATION BILL.

The reasons assigned by the Managers, at the late confer-
ence on the part of the Commons to some of their Lordships'
amendments in this bill were read, when

Lord *Hobart* moved, that the House insist on their first
amendment, which had been objected to, observing, that the
Commons could not have sufficiently considered it. He
gave

gave his reasons why he did not think it necessary to move the House to insist on the other amendments to which the Commons disagreed.

Another conference was then ordered to be called for the next day, and a Committee, consisting of most of the Lords present, were immediately to draw up their reasons for insisting on the first amendment, who retired to the committee-room and drew up the same.

PACKETS BETWEEN DOVER AND CALAIS.

The Earl of *Suffolk* said, there was a subject to which he must call their Lordships' attention, and that was a bill upon the table, for regulating the price of postage between England and France, by the way of Dover and Calais. He had been given to understand that the alteration was greatly in favour of France, and might be of the utmost disadvantage to the owners of the packets belonging to Dover. They conceived, that allowing the French packets to come backwards and forwards would tend to their utter ruin, because the French packets might not only, at a less expence, bring over passengers from Calais, but carry passengers back from Dover to Calais. Their apprehensions on this head were extremely great, and the more so, as they had never heard of the bill till the preceding day, and consequently had not had an opportunity of petitioning the other House against the bill. One of their members had unfortunately been confined by illness, and been obliged to absent himself from his parliamentary duty, and the other (Mr. Trevanion) was gone down to Dover to collect full information on the subject. All he wished, his Lordship said, was, that an opportunity should be afforded to the people at Dover, interested in the subject, to be heard by counsel, on a petition being allowed to be presented.

Lord *Auckland* said, that a plain statement of the bill in question would, he was confident, satisfy all their Lordships that the measure was not liable to any fair and well-founded objection. Some alterations had taken place, during the war, in the rates of letters to and from the continent of Europe. The result had been, that the charge of a single letter to and from Hamburg was sixteen pence, and that charge was meant to be continued. The charge from Holland is fourteen pence; and to Holland only ten pence. It was intended by the present bill, for the convenience of the merchants and others, to equalise these rates, and consequently

they would be twelve pence each. The charge from France is fourteen pence, and to France only ten pence: it was one object of the present bill to take off the four pence. Therefore the rates of letters to and from France would be ten pence; to and from Holland, twelve pence; and to and from Hamburg, sixteen pence. These arrangements would bear a reasonable proportion to the respective distances. And though the reduction of the rate on the letters from France was apparently a sacrifice of revenue, he was willing to hope that the moderation of the charge, with the intended increase in the weekly number of the mails, would amply compensate the revenue; for it was an old and true remark, that, in matters of taxation, two and two do not always make four. And he trusted that he should not be suspected of inadvertence to the improvement of a revenue, which, during the period that he had presided over it, had risen from 560,000*l.* to 830,000*l.* per annum, net produce. He felt it, however, to be a part of his duty to blend the interests of the revenue with the commercial interests, and also with the public accommodation. The only remaining object of the bill was the exemption of the French packet boats from the new tonnage duty. The Government of France had acted, on this occasion, with a disposition of amity and candour, to which he gladly rendered justice, as the period was come, when every well-wisher of the two countries must wish to promote conciliation. In a treaty recently concluded between the British and French post-offices, an arrangement had been made respecting the port duties, or tonnage duty, payable at Calais, which arrangement was favourable to the English packets, and not to any other vessels. And certainly it would be a false principle of legislation for two great countries to charge and embarrass each other in the interchange and mutual execution of a public service. On these principles, he had recommended the provisions of the present bill, which had nothing to do with the pretensions of the parties interested in the private passage-boats at Dover. He denied that the measure was a surprise on those parties. He happened to know that they had been fully informed of it many days ago—perhaps, he might say many weeks ago; for it had long been printed and reprinted in the notes of the House of Commons, and of all the newspapers. But whatever might be the grievance of those individuals, and whether that grievance were well or ill founded, it had not been created by the present bill, and could not be remedied by it,

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He should, therefore conclude with moving, That the bill be now committed,

Lord *Holland* said he was not much in the habit of approving of the financial plans of the Ministers, but he must say, that the regulation now stated by the noble Lord was one highly deserving of praise; and, at the same time, Government was acting with a just liberality towards France for the sacrifice she had made in taking the duty off her packets.

The Earl of *Suffolk* said he was not able to enter into argument upon the bill, till he had heard from Mr. Trevelyan, Member for Dover.

The bill went through the committee, and was reported.

INDIA.

The Earl of *Suffolk* said he rose in conformity to a notice which he had some time since given, to call the attention of the House to a subject of very considerable importance, viz. the state of India. He did not mean to go into that part of the subject which depended on the information to be derived from certain papers expected by the Mornington, which the noble Lord opposite to him had said would soon arrive, but meant to confine himself merely to the state of the finances of India. He would, however, either enter upon it then, or defer it till the next day, just as the noble Earl opposite to him (Lord Dartmouth) wished.

The Earl of *Dartmouth* said, if the noble Earl thought fit to enter into so important a subject in so thin a House, at that period of the session, and at that time of night, he had no objection.

The Earl of *Suffolk* then resumed, and said it was perfectly indifferent to him whether he entered upon it then or the next day, but it was absolutely necessary that he should call the attention of the House to the state of the revenues and debt of India without delay, or India might be lost for ever. He did not mean to impute any blame, on account of the state of India, to his Majesty's present Ministers, but to the late President of the Board of Control, with whom alone was the blame, as he would state to him in that House or elsewhere. His Lordship said he had not looked over the whole of the papers on the table, they were too voluminous; he had merely looked at the total, and from which he saw that the debt amounted to eighteen millions, and he should be able to prove, from a report of a committee of East-India Directors, that it amounted to a great deal more, all of

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which that committee charged upon the mismanagement of
the person to whom he had alluded. He asked why there had
not been an East-Indian Budget in the present session?—The
reason was sufficiently obvious.

His Lordship was then called upon to state the motion
he meant to conclude with. He accordingly read it, and its
object was to obtain an account of a financial nature, relative
to the state of India.

The Earl of *Dartmouth* said he had no objection to the
motion.

Lord *Hobart* said he had no objection whatever to have a
return laid before the House of the amount of the debt, and
the stock of the India Company.

The Earl of *Suffolk* then, on a hint from the Lord Chan-
cellor, deferred proceeding further upon the subject till the
next day, when the Lords are to be summoned.

IRISH BANKRUPTS.

On the second reading of the bill for the relief of uncer-
tificated bankrupts in Ireland,

The Lord Chancellor rose to declare that he highly dis-
approved of the principle of this bill. It was like many
other bills which hitherto used to be attempted to be passed
into laws, but which the vigilance of Parliament had always
rendered abortive. It was a violation of all those principles
of justice which had ever been observed in this country; and
so far from correcting the errors which were acknowledged
to belong to the English bankrupt laws, it added to them
considerably, by taking away from creditors all those securi-
ties which they had for the payment of their debts; and left
it in the power of debtors to commit a variety of frauds.
His Lordship then went over the arguments he had used on a
former day concerning the inconvenience, injustice, and
mischievous consequences of not allowing creditors a right
over the future property of the debtors. His Lordship de-
clared, that several bankrupts were in the habit of obtaining
certificates in a fraudulent manner. It was necessary to ob-
serve, a man hardly ever became a bankrupt a second time;
because his future property would then be liable to his debts.
With respect to the present bill, the principle of it was such
as would lead to the greatest mischiefs; and he could never
consent to let it pass, unless some very strong ground was
shewn for adopting it.

Lord Viscount *Limerick* said, that as a representative Peer
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of Ireland, he must inform the House, that the Parliament of that country had been in the habit of passing bills of this kind from time to time, and they did so because the state of trade and commerce, which was still in its infancy in that country, rendered them absolutely necessary. The arguments of the noble and learned Lord might be very just with regard to England, but they did not apply to Ireland, or to the bankrupt laws in that country, where, from the imperfect state of her manufactures, the greatest evil might ensue, if men in any particular trade were to be driven away from it, and rendered unable to apply to any other kind of business. Besides, it was well known that many insolvent tradesmen in Ireland, who had acted with fairness and honesty, were refused their certificates from pique and malice. In order to judge properly on this subject, it was necessary for a man to be acquainted with the state of Ireland. At the time the question of the union was agitated in that country, one of the principal arguments urged against it was, that of the British Members being, from a want of local knowledge, incapable of legislating for Ireland. The rejection of the present bill, the necessity of which was apparent to every person acquainted with Ireland, would be to concur in the justice of that argument.

The *Lord Chancellor*, in reply, said he should be sorry to decide rashly on this business: and, on his Lordship's suggestion, the bill was committed for the next day.

ILLEGAL GAMES.

Lord Holland said he had to call their Lordships' attention to a subject of so frivolous a nature as to be below the cognizance of the Legislature; and whenever measures of a similar nature came before that House, he should oppose them. There was a bill then lying on the table for preventing a certain trifling game called Little Goes. He did not think it accorded with the dignity of that House to be employed in passing a law to prevent persons from gaming for gingerbread. Before the bill, therefore, proceeded any farther he should move that it be printed, and that time be allowed for considering it.

The *Lord Chancellor* said he had no doubt but that if the noble Lord had read the bill, he would find that the evil intended to be corrected by it was one of a very serious and mischievous kind, and such as required to be suppressed by legislative interference. It was not a gambling among children

dren for bits of gingerbread that this bill went to suppress, but a species of lottery, which was introduced throughout most parts of the country, and a most pernicious system of gambling, that even affected the tickets of the great lottery.

The bill was read a first time, and ordered to be printed.

FOREST BILL.

On the second reading of the bill for the better prevention of deer stealing,

The *Lord Chancellor* said, he had some strong objections in his mind against this bill; but, before he stated them to the House, he should read over the act, of which it purported to be an amendment, in order to be sure his objections were well founded:

The bill was then, on his Lordship's motion, committed for Wednesday.

The alien-bill was ordered to be taken into consideration the next day.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 21.

The consolidated fund bill, the five million exchequer bills bill, the post horse duty bill, the Irish militia pay and discharge bills were severally read a third time and passed.

The Scotch schoolmasters' bill passed through a committee, and the House having resumed, the report was received, ordered to be printed, and to be taken into further consideration that day month.

A message from the Lords informed the House that their Lordships had agreed to the mutiny bill, the Irish coffee bill, the Irish Parliament House sale bill, the controverted election bill, and the port of London bill, without any amendments.

A subsequent message stated, that they had agreed to the bill for the better prevention and punishment of smuggling, the Scotch militia bill, the miners' militia bill, and to several other bills.

A person from the office of the Secretary to the Lord Lieutenant of Ireland presented a report of the state of the jails in that country, since the month of January, 1801. Ordered to lie on the table.

A person from the East India Company presented a variety of papers relative to the late transactions of the Carnatic,

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MISCELLANEOUS.

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natic, pursuant to an order of the 11th ult. Ordered to be printed.

Mr. *Wallate* moved for a copy of such parts of the correspondence found in the palace of Tippoo Saib, at Seringapatam, as do not appear in the declaration of the Governor-general; likewise a copy of the evidence taken in consequence of the orders of the Governor-general—which were ordered accordingly.

The custom-house duty bill was read a third time, as was the paper duty bill.

Mr. *Vanfittart* moved a clause, by way of rider, to this last bill, that the commissioners of stamps be empowered to continue to the proprietors of newspapers the present additional discount for the space of three months after the passing of the act, provided it be proved that the said papers have paid the stamp duties of 5d. The clause was agreed to, and the bill is to take effect from the 5th of July.

Bonham's divorce bill was committed.

Mr. Garrow was heard in defence of the bill, the evidence was gone through, and the House having resumed, the report was ordered for the next day.

Mr. *Vanfittart* obtained leave to bring in a bill to authorise the commissioners of excise in England and Scotland to order the restoration of exciseable goods seized or detained by the officers of excise. The bill was introduced, read a first and second time, committed, and the report ordered for the next day.

Mr. *Wallace*, in the absence of an honourable Gentleman, (Mr. Sheridan) with whom he had communicated on the subject, put off the motion respecting the late transactions in the Carnatic, which stood for the next day, till Wednesday. He took it for granted that another honourable Gentleman, who had given notice for a motion on the same subject, would, if he had been present, felt no disposition to resist this arrangement.

An account of the real value of imports and exports for three years; was produced, and ordered to lie on the table.

Adjourned.

HOUSE

HOUSE OF LORDS.

TUESDAY, JUNE 22.

Eighty-one public and private bills received the royal assent by commission.

A conference was held with the managers of the Commons, in which Lord Dartmouth, and other noble Lords, were managers on the part of the Lords, to state the reasons which induced their Lordships to insist on their first amendment to the English militia bill.

Lord *Glenbervie* soon afterwards came from the Commons with a message, acquainting their Lordships that the House of Commons did not insist on their disagreement from their Lordships' first amendment on the English militia bill.

The five millions loan and exchequer bills bill, the paper duty bill, and a variety of other bills were brought up from the Commons, and presented by Mr. Alexander and others, and read a first time each.

Lord Viscount *Limerick* rose to call the attention of the House to the Irish uncertificated bankrupts bill. He declared that the noble and learned Lord's very formidable and weighty objections against the measure the preceding evening, had made a considerable impression on his mind; and the more he reflected upon them, the more he was convinced of their validity. He had also made some enquiries upon the subject since, and the result of these, joined to the objections offered by the noble and learned Lord, induced him to think that the bill was of too great magnitude to pass without further consideration. He should therefore move, That the commitment of the bill be postponed till that day three months, which, on the question being put, was ordered accordingly.

FOREIGN POSTAGE.

On the question being put for the third reading of the foreign letters postage bill,

The Earl of *Suffolk* rose, and repeated his observations of the preceding night relative to the injury which the inhabitants of Dover would sustain by certain regulations in the bill. He knew that their representative would be instructed on the occasion, and he thought the bill should be deferred until the parties were heard on the subject.

Lord *Hobart* observed, that he entertained no doubt of his being able to relieve the noble Earl's anxiety upon the point,

as he held in his hand a letter written by the persons principally interested in the measure at Dover, addressed to a noble Lord not then in his place; the letter was of that nature, that he could not read it as part of his speech, but it was expressive of the perfect satisfaction of those persons at the regulations, in consequence of the reasons assigned by the noble Lord. Lord Hobart then went across the House, and shewed the letter to the noble Earl, who was apparently satisfied, and made no further objection to the bill, which was then read a third time and passed.

ALIEN BILL.

The House having resolved itself into a committee of the whole House on this bill,

Lord *Halifax* rose, and began a long and able speech against the bill, on account of the awkward and bungling manner in which, he said, the bill was drawn, a matter which might have carried some excuse with it if it had been the first bill of the kind that had been drawn, but, unfortunately for the country, the want of practice in drawing bills trenching on the liberties and freedom of the subject, could not, for the last six or seven years, be stated. Such, however, was the awkward and bungling manner in which the bill was drawn, that it was scarcely possible to comprehend its meaning, further than to see that it was a direct attack upon the personal rights and privileges of those upon whom it was to operate. He did not, his Lordship said, mean so irregular a thing as to discuss the principle of the bill in that stage of it; he was ready to admit that some such bill might be proper, provided that the principle was correctly understood, and that whatever that principle was, the clauses tended to carry it into effect. When the alien bill was originally introduced, its avowed principle was, to give his Majesty's Ministers a power to apprehend every alien, whose conduct caused him to be considered as a suspicious and dangerous person, but his Majesty's late Ministers had assumed the power, under its pretended authority, of apprehending not only such aliens as were deemed to be suspicious persons, but every alien whom they thought proper to apprehend, and to throw them into prison, and there detain them as long as they thought proper. Extraordinary as this exertion of assumed power was, he had heard a noble Duke, a late Secretary of State, contend that such was the power which was intended to be given him under the alien act; whether the noble Duke, whose conduct had destroyed all political consistency, was now a political character or not, or whether he was of any weight or authority

sity in his present situation, he knew not; but great severities and oppressions had been exercised under the alien act. He meant not, however, to have said so much, which certainly went to the principle of the bill, at that time, but that it was impossible to abstain wholly from expressing his indignation at the frequent abuses of the power, which an unfortunate necessity of past times had induced Parliament to put into the hands of his Majesty's Ministers. Having done so, he would confine what more he had to say to the clauses, in several of which he meant to move amendments, in order to make them more consistent with the preamble of the bill. His Lordship then took notice of each clause, proceeding regularly through them, and stating the nature of the amendments he meant to move in each, contending that it would be more convenient for him and for the House that he should be allowed to do so; if he were not, instead of one speech upon the whole, he should be obliged to take up the amendments one by one, and argue each separately.

The *Lord Chancellor* said the sole question with him was, whether the noble Lord was in order in so doing. He had always understood that the order of the House was, that a bill in a committee should be discussed clause by clause.

Lord Holland. Certainly, if the committee insisted upon its rigid order, he must submit to it, but it would compel him to detain the House longer than he otherwise should have done.

The *Lord Chancellor*, in reply, said those sort of insinuations, that any particular mode of proceeding which a noble Lord wished to adopt would save time, made little impression on his mind; he stood there to do his duty, and to comply with the orders of the House. It was indifferent to him whether he was there till eight o'clock, or till one in the morning.

The preamble of the bill being postponed, and the clauses pointed out by *Lord Holland* come to, his Lordship accordingly moved an amendment with respect to these, to the general effect of providing, that the alien should, within a limited period, (two months) have the cause of his detention investigated before a competent tribunal, and if found to be on just and adequate grounds, that he should be then sent out of the kingdom, &c.

The *Lord Chancellor* objected to it, but said he did not altogether deny the justice of the noble Lord's arguments on which he rested the amendment he had moved. His Lordship

ship said, he lamented, with the noble Lord, that it should be necessary to pass such bills, and unless he was convinced of the necessity's still continuing to exist, he would not himself vote for any such bill. As to what the political character of a noble Duke, now absent, was, or what degree of significance belonged to him in his present situation, it was not for him to say; but while that noble Duke was Secretary of State, he would say, what he perfectly well knew to be the fact, that the noble Duke discharged the duties of his office with firmness and ability, and uniformly acted as a good and faithful servant of the Crown in every respect. His Lordship stated, as he had done on former occasions, the great utility that had resulted from the alien bills that had passed within the last few years, as well as from several other bills, confessedly, but unavoidably, suspending the rights and privileges of individuals, and the liberties and freedom of British subjects in general. In his opinion, it was a difficult matter to say what, in sending aliens out of the kingdom, could, in strictness, be called a political purpose, as was alluded to by the noble Lord; there were many cogent reasons to induce such a step, which may not, at first view, appear to be of that description. He would suppose the case of a people let loose from all principles of just or regular Government, and who, with a determined profligacy, had endeavoured, far and near, to undermine the morals of the inhabitants of other countries, and to sap the foundations of social order therein. In such cases, would any man say, that a Secretary of State, or any other Minister, when such principles were acted upon, who should not exercise the powers vested in him by the law, did not betray his trust? On this ground, with respect to what had been said relative to a noble Duke not then in his place, he believed that Minister would be found to have acted as a firm and honest man. With respect to the provisions so pointedly objected to by the noble Lord, he certainly had no objection to their being softened, as far as was consistent with the object; but he could not agree to the alteration specified by the noble Lord, namely, to limit the period to two months. What he should propose on the occasion was, to apply such a clause as should obviate the leading objections; with reference, however, to the provisions of the treaty of peace with France, relative to the reciprocal delivering up to justice the descriptions of persons therein mentioned, it would go generally to authorise, that when the person should not be sent out of the kingdom within a given period, after

an application made to the Secretary of State, an appeal might be made to his Majesty's courts of law, in order that the cause of detention may be investigated, &c. He apologised for the irregularity of having said so much; but he had, he said, been betrayed in departing from the immediate business of the committee, by the irregularity of the noble Lord over against him. He concluded with stating the reasons why he objected to the amendment.

Lord *Holland* then moved several other amendments, (which were also, for different reasons, objected to) in consideration of the possible severities that might be exercised by Secretaries of State on aliens, in respect to sending them out of the kingdom at forty-eight hours notice.

The Earl of *Suffolk* desired to state a strong instance of the harsh and cruel manner in which aliens had been sent out of the kingdom. An alien, the Abbé Seckars, who taught his children the French language, a most honourable, worthy, and respectable man as ever existed, had been sent out of the kingdom at forty-eight hours notice. The Abbé had resided eighteen years in this country, and was seventy-two years of age, had taken the most tender care of a near relation of his, and if that relation had been a male, she would have had the title which he then bore, as she was of the elder branch of the family: her name was Harvey, the honourable Mrs. Harvey; she died about four years ago. That poor man, the aged Abbé, his Lordship said, had not been allowed time to take care of his things, but sent out of the kingdom at the short notice he had mentioned. He landed in France, and wished to go to Paris, whither he had designed to repair, and where he might have been well off, as he was, at one time, about to be related to Rowbell; but the French forced him to go and stay in one of their ports, where he verily believed he died of a broken heart, about a year ago. His Lordship expatiated on the severity of exposing a quiet, inoffensive old man, aged seventy-two, who had lived here eighteen years, to such hardships; and said it happened when he was absent in Scotland, and he did not hear of his having been sent out of the kingdom till two or three months afterwards.

Lord *Palham* rose to defend the noble Duke, who was absent, and whose known candour, humanity, and justice would surely serve to rescue him from the imputation of having wantonly been guilty of any act of so strong a nature as that alleged against him by the noble Earl. It was impossible
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for him to say any thing as to the particulars of the case stated, to which he had been an utter stranger till that moment, but it did appear to him that a person connected with Rewbell, one of the Directors of the French Republic, might, for various reasons, be thought an improper person to be suffered to remain in this country during the late war.

Lord *Holland* gave Lord *Pelham* credit for his feelings, which prompted him to rise and speak in defence of the absent Duke, his predecessor in office, but he could not help remarking, that it was always the custom when extensive powers were about to be given to his Majesty's Ministers by any such act as the present, for those who supported it, to say it was impossible men of their characters should abuse them, or enforce them with unnecessary rigour or severity; and whenever an express instance of their having abused them, and acted most unwarrantably in the exercise of them, was stated, then their known personal candour, justice, and humanity were set up in their defence.

The Earl of *Roslyn* said he would put it to the noble Earl's own candour, if he did not know enough himself of the character of the noble Duke in question, as would induce him to think that noble person incapable of acting, upon such an occasion, on slight or inadequate grounds. His Lordship added that it was extraordinary such a fact as the noble Earl had stated, should have happened, and that neither then nor afterwards had the noble Earl interfered respecting it, but, for the first time, the noble Earl had stated it to the committee that day.

The Earl of *Suffolk* again said he was, as he had told the committee in his former speech, in Scotland at the time, and his mind had been so harassed and afflicted by a domestic misfortune, that he did not come to town for some months afterwards.

Lord *Pelham* admitted he could not interfere before the order was carried into effect, but afterwards he might have represented the case in such a manner to the noble Duke, if the grounds of application were just, as might induced him to have reversed the order. Upon the whole, he was of opinion that there was reason to suppose the charge was well founded.

The Lord Chancellor and Lord *Ellenborough* both spoke in defence of the Duke of *Portland*, and the latter rather strongly against the noble Earl for not having acted upon the case at the time, or as soon afterwards as he was in town.

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The Earl of *Suffolk* once more rose, and said, though he had the whole phalanx of law Lords against him; he defied them to move him from his purpose. He then again repeated, that he was absent in Scotland when the fact occurred, and said, the death of his son, which, at that moment, drew tears into his eyes, distressed his mind too much for him to attend to any other matter.

At length the committee proceeded with the other clauses, in which several amendments were proposed and argued by Lord Hobart and Earl Fitzwilliam, and objected to by the Lord Chancellor, Lord Pelham, and Lord Ellenborough.

The bill, at length, was gone through, and ordered to be reported the next day, when the Lord Chancellor would introduce two new clauses.

INDIA.

The Earl of *Suffolk* said he would not, at that late hour, exhausted as they were, go into the subject of India, as he had intended, but would bring forward his motion on the next day.

The Earl of *Dartmouth* asked whether he could not then move for the paper which he wanted?

Lord *Holland* said his noble Friend wished to preface his motion with many observations necessary to elucidate the grounds on which he moved for the paper.

The Earl of *Suffolk* said, undoubtedly his object was to enter on the subject fully, avoiding all political considerations as much as possible, but, by figures and comments, endeavouring to call their Lordships' attention to the present debt of India, which was alarmingly great, and called upon the wisdom of the Legislature to provide for its diminution.

DEER-STEALING BILL.

While the deer-stealing bill was in the committee, Earl *Radnor* moved an amendment in the third clause, but the Lord Chancellor begged him to withdraw it, in order that he might move, That the noble Lord do leave the chair, and report progress; after which, he said he would move in the House, the next day, to recommit the bill on that day three months.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 22.

The excise bill was reported, and ordered to be read a third time the next day.

Bonham's divorce bill was read a third time, and passed.

A message from the Lords, by the deputy usher of the black rod, required the attendance of the House to hear the royal assent given, by commission, to a great number of public and private bills.

The *Speaker* on his return specified what these bills were, but they are by far too numerous to admit of a detail.

FINANCE.

The *Chancellor of the Exchequer* said, he rose in pursuance of the notice he had given on a former day, to submit several resolutions on the subject of finance, on which it was his intention to move that the debate should be adjourned to Thursday, with an understanding that the resolutions should be printed and ready for delivery the next day. He then submitted the following resolutions:

1. That the amount of the public funded debt was, on the 5th of January 1786, 238,231,248*l.* exclusive of long and short annuities, and annuities for lives, to the amount of 1,373,550*l.* That on the 1st of February 1793, stock to the amount of 10,242,100*l.* had been purchased by the commissioners for redeeming the national debt; and annuities to the amount of 79,880*l.* had fallen in, and had been carried to their account; reducing the actual amount of the debt on the 5th of January 1793, to 127,989,148*l.* and the annuities to 1,293,670*l.*; and that, on the 1st of February 1802, stock to the amount of 36,885,308*l.* had been purchased by the commissioners for redeeming the national debt, and annuities to the amount of 125,707*l.* had fallen in and been carried to their account; and stock to the amount of 18,001,148*l.* had been transferred to them, on account of land tax redeemed; reducing the actual amount of debt existing before the war, on the 1st of February 1802, to 180,344,792*l.* and the annuities to 1,247,843*l.*

2. That the capital of the public funded debt, created since the first of February 1793, as the same stood on the first of February 1802, together with the capital to be created by some sums borrowed in the present session of Parliament, and exclusive of 7,502,633*l.* three per cent. stock created by advances to the Emperor of Germany, is
351,125,730*l.*

351,125,730*l.* That the amount of long annuities created during the same period, is 220,401*l.* per annum, exclusive of 230,000*l.* annuity, created by advances to the Emperor of Germany, which will expire in the year 1802: that of these sums 22,348,000*l.* capital, and 9,791*l.* long annuities, are on account of Ireland; and leaving a permanent debt of 328,777,730*l.* charged on Great Britain; and that on the 1st of February 1802, 19,703,596*l.* had been purchased by the commissioners for redeeming the national debt, reducing the said permanent debt created since 5th January 1793, to 309,074,134*l.* per annum exclusive of long annuities to the amount of 310,670*l.*

3. That the total amount of the permanent funded debt charged on Great Britain, after deducting the sum of 59,588,904*l.* redeemed by, and the annuities fallen in to, the commissioners, and 18,001,148*l.* transferred to them, on account of land-tax redeemed, was, on the 1st of February 1802, 419,418,926*l.* together with short annuities, to the amount of 543,103*l.* and long annuities to the amount of 1,015,410*l.* after deducting the annuities provided for by Ireland.

4. That the sum annually applicable to the reduction of the national debt of Great Britain, in pursuance of the act passed in 1786, was 1,000,000*l.* being about 1-238th part of the capital of the permanent debt then existing; and for 1793, was 1,427,143*l.* being about 1-160th part of the permanent debt existing in 1793, and may for the year 1802 be estimated at 5,800,000*l.* being about 1-84th part of the permanent debt existing in 1802, which sum of 5,800,000*l.* is appropriated by act of Parliament to accumulate at compound interest, until the whole of the existing debt is discharged, which, supposing all the stocks to be purchased at par, and no further sums to be transferred for the redemption of the land tax, cannot be later than the close of the year 1843.

5. That the annual charge incurred on account of the permanent debt, on the 5th of January 1786, was 9,297,000*l.* before any fund was created applicable to the reduction of the debt; and on the 5th of January 1793, was 10,325,000*l.* including 1,000,000*l.* applicable to the reduction of the debt; in which sum of 10,325,000*l.* was included, on the 5th of January 1793, the interest of 10,242,100*l.* capital stock redeemed; and the amount of annuities fallen in, or unclaimed, which had been transferred to the commissioners, making

making together the sum of 387,143*l.* and that the said sum of 10,325,000*l.* was reduced on the 5th of January 1802, by reason of stock transferred for the redemption of the land tax, and by the diminution in the charges of management on account of sums redeemed by the commissioners, to 9,771,169*l.* in which sum is included the interest on 39,885,381*l.* capital stock redeemed, and the amount of annuities taken in, or unclaimed, and transferred to the commissioners, making together the sum of 1,334,186*l.*

6. That the annual charge incurred on account of the permanent debt of Great Britain, created since the 5th of January 1793, (including 924,199*l.* permanent interest, and charge on loan of the present session) of which 48,761*l.* 17*s.* will not become payable until after the 5th of January 1806, amounts to 13,597,594*l.* per annum, of which 10,544,383*l.* is for interest, annuity, and charges of management of such part of the said debt as was unredeemed on the 1st of February 1802, and 3,053,211*l.* arises from 1*l.* per cent. sinking fund on the capital of part of the said debt and interest of stock redeemed, and is applicable to the reduction thereof; and that a further charge of 497,735*l.* per annum is guaranteed by Parliament, in default of payment of the interest of certain loans by his Majesty the Emperor of Germany.

7. That the amount of the outstanding demands unprovided for on the 5th of January 1802, exclusive of unfunded debt, and of the anticipation of certain duties annually voted was 4,416,220*l.* That the surplus of ways and means for the year 1802, was 114,000*l.* and 99,886*l.* remained unpaid, and applicable to the public service, on the grant to the Queen of Portugal, reducing the amount of demands unprovided for, to 4,202,334*l.* of which 3,920,289*l.* has been provided for in the present session.

8. That the unfunded debt (exclusive of the anticipation in the usual form on certain duties annually voted) amounted on the 5th of January 1793, to 8,925,422*l.* and on the 5th of January 1802, to 21,179,171*l.* exclusive of the anticipation of the loan of 1802; and of 3,000,000*l.* advanced by the Bank, without interest, for the renewal of their charter, to be repaid in 1806; of which sum of 21,179,170*l.* 10,113,493*l.* has been paid off, or provided for in the course of the present session.

9. That the next produce of the permanent taxes existing on the 5th of January 1784, then amounted to 10,194,259*l.*; and that taxes were afterwards imposed to defray the ex-

perthes of the war ending in 1783, amounting in 1786 to 938,000*l.* making together 11,132,000*l.*

10. That the net produce of the permanent taxes existing previous to the year 1784, adding thereto about 938,000*l.* imposed as above stated in 1784 and 1785, and 137,000*l.* arising from the consolidation act, and from duties imposed in 1789, was in the year ending the 5th of January 1793, 14,284,000*l.*; on the 5th of January 1794, 13,941,000*l.*; on the 5th of January 1795, 13,138,580*l.*; on the 5th of January 1796, 13,557,000*l.*; on the 5th of January 1797, 14,292,000*l.*; on the 5th January 1798, 13,332,000*l.*; on the 5th of January 1799, 14,275,000*l.*; on the 5th of January 1800, 15,743,109*l.*; on the 5th of Jan. 1801, 14,194,539*l.* and on the 5th of January 1802, including 1,275,544*l.*; the amount of bounties paid on corn and rice imported, 14,497,220*l.*; which last sum, after deducting the duties arising from the consolidation act, and those imposed in 1789, exceeds the net produce of the permanent taxes on the 5th of January 1784, together with that of the taxes imposed in 1784 and 1785, by 3,228,226*l.*

11. That the actual net produce of the taxes imposed since the 5th of January 1793, amounted, in the year ending the 5th of January 1802, to 9,187,288*l.*: and that the total net produce of the permanent taxes, in the year ending the 5th of January 1802, amounted to 23,684,514*l.* including 1,275,544*l.* paid for bounties on corn and rice imported.

12. That the total gross receipt within the year (deducting repayments, discounts, and drawbacks; and also deducting all loans and monies paid to Government) was, in the year 1797, 23,076,179*l.*; in the year 1798, 30,176,303*l.*; in the year 1799, 34,750,976*l.*; in the year 1800, 33,535,016*l.*; and in the year 1801, 35,368,376*l.*; being an increase, compared with 1797, of 12,292,197*l.* and compared with 1798, of 5,192,073*l.* compared with 1799, of 617,400*l.* and compared with 1800, of 1,833,360*l.*

13. That the official value of all imports into Great Britain, in the year ending the 5th of January 1784, was 13,122,235*l.*; and on an average of six years, ending the 5th of January 1784, was 11,690,829*l.*: that the official value of all imports into Great Britain, in the year ending the 5th of January 1793, was 19,659,358*l.*; and on an average of six years, ending the 5th January 1793, was 18,685,390*l.*: that the official value of all imports into Great Britain in the year ending the 5th of January 1802 (supposing the imports from the

the East Indies, of which no account has yet been made up, to be the same as in the preceding year) was 32,317,032l. making an increase, as compared with 1783, of 19,194,797l. and with 1792, of 12,657,674l.; and on any average of six years, ending the 5th of January 1802, was 26,964,038l. making an increase as compared with the average to the 5th of January 1784, of 15,273,209l. and with the average to 5th of January 1793, of 8,278,648l.; and that the real value of imports in the year ending the 5th of January 1802, supposing the imports from the East Indies to be the same as in the preceding year, may be estimated at about 58,680,000l.

14. That the official value of British manufactures exported from Great Britain, in the year ending the 5th of January 1784, was 10,409,713l. and on an average of six years, ending 5th January 1784, was 8,616,660l.; that the official value of British manufactures exported from Great Britain in the year ending the 5th of January 1793, was 18,336,851l. and on an average of six years, ending the 5th of January 1793, was 14,771,049l.; that the official value of British manufactures exported from Great Britain in the year ending 5th January 1802, was 25,719,979l.; making an increase, as compared with 1783, of 15,310,266l. and with 1792, of 7,383,128l.; and on an average of six years ending the 5th January 1802, was 21,631,050l. making an increase, as compared with the average to 5th of January 1784, of 13,014,390l. and with the average to 5th of January 1793, of 6,860,001l. and that the real value of British manufactures exported in the year 1801 may be estimated at 41,776,000l.

15. That the official value of foreign merchandize exported from Great Britain, in the year ending the 5th January 1784, was 4,332,909l.; and on an average of six years, ending the 5th January 1784, was 4,263,930l.; that the official value of foreign merchandize exported from Great Britain, in the year ending the 5th Jan. 1793, was 6,568,348l.; and on an average of six years, ending the 5th January 1793, was 5,468,014l.; that the official value of foreign merchandize exported from Great Britain, in the year ending the 5th of January 1802, was 16,523,480l.; making an increase, as compared with 1783, of 12,190,571l. and with 1792, of 9,955,132l.; and on an average of six years, ending the 5th of January 1802, was 14,104,700l.; making an increase, as compared with the average to Jan. 5th, 1784, of 9,840,773l.; and with the average to January the 5th 1793, of 8,636,686l.

and that the real value of foreign merchandize exported in the year ending the 5th January 1802, may be estimated at about 15,700,000*l*.

16. That the number of registered vessels belonging to the British dominions, and employed in trade, in the year 1789, being the first year in which the register had taken full effect, was 14,310; their tonnage 1,395,172; and the number of seamen navigating the same 108,962: in the year 1792, the number of vessels was 16,079, their tonnage 1,540,145, and the number of seamen navigating the same 118,286; and in the year 1801, the number of vessels was 19,772, their tonnage 2,037,317, and the number of men 143,987; being an increase of 5,462 ships, 642,145 tons, and of 35,025 men, compared with 1788; and of 3,693 ships, of 497,172 tons, and of 25,701 men, compared with 1792.

17. That the total sum to be raised in Great Britain, in the 1802, may be estimated as follows: viz —

Interest of public funded debt, charges of management, and sinking fund, on the 5th January 1802, after deducting the interest payable by Ireland	<i>£.</i> 22,444,564
Interest, &c. to be incurred and paid between the 5th January 1802, and the 5th January 1803, on stock created by loans in the present session	665,422
Interest on exchequer bills	750,000
Proportion to be defrayed by Great Britain, according to the articles of union, of the civil list, and other charges on the consolidated funds of Great Britain and Ireland, amounting together to 1,537,739 <i>l</i> .	1,356,828
Civil government of Scotland, estimated as before	1,000,000
Pensions on hereditary revenue, ditto	
Militia and deserters warrants, ditto	
Bounties for promoting fisheries, linen manufactures, &c. including excess of corn bounties beyond 1,643,000 <i>l</i> . repaid by Parliament	
Charges of management of the revenue the same as last year	2,024,697
Making the total permanent charges to be defrayed out of the gross receipt of permanent revenue	28,241,514

Proportion to be defrayed by Great Britain, according to the articles of union, of the supplies voted for 1802, for Great Britain and Ireland, amounting in the whole to 39,305,344l. including therein the separate charges on Great Britain

- 35,532,371

63,773,882

Advance to Ireland - - - 2,000,000

Interest payable for Imperial loans 497,596

2,497,596

66,271,478

18. That the gross receipt of the permanent revenue, after deducting the re-payments for over entries, drawbacks, amounted, in the year ended 5th January 1802, to - - - 29,220,536

Estimated produce to the 5th April 1803, of the taxes imposed in the present session of Parliament - - - 2,400,000

That further sums are applicable to the service of the year 1802, as follows:

Re-payments from Grenada, imposts, and lottery - - - 862,000

And that the remainder of the supply for the year 1802 is provided for by a loan, on account of Great Britain, of - - - 23,000,000

And a loan for Ireland, of - - - 2,000,000

And by exchequer bills to be charged on supplies 1803 - - - 5,000,000

And by expected additional produce of taxes that were deficient in 1801 compared with 1799 - - - 1,600,000

Surplus of ways and means 1801, and residue of grants to the Queen of Portugal - - - 213,886

Interest on land tax contracted to be paid for by instalments - - - 25,000

Arrears of income tax - - - 2,500,000

Making in the whole the sum of - 66,321,422

19. That it appears, by a report of a committee of this House, in 1791, that the actual expenditure (including the annual million for the reduction of the public debt) on an average of five years peace, ending the 5th of January 1791, and including sundry extraordinary ex-

pences for the armament of 1787, and for payments to American loyalists, and other articles of a temporary nature, amounted to 16,816,985
 But the peace establishment was estimated by the said committee at - - - 15,969,178
 [With which estimate the actual expence of the year 1792 nearly agreed.]

In the above sum was included the charge of the public debt, amounting to 10,325,000*l.* from which is to be deducted the charge of stock extinguished by the redemption of land-tax, on the 5th of January 1802 - - - 540,000

15,429,178

That the additional permanent charge, incurred by the debt created since 1793, exclusive of interest payable by Ireland, is - - - 13,597,594

That the additional charge to be incurred for increased amount of exchequer bills outstanding, is about - - - 140,000

Interest of money for satisfying increased navy debt, at 5*l.* per cent. is about - - - 270,000

That the additional charge incurred on the consolidated fund, is - - - 390,000

That the additional charge incurred for a sum appropriated for the redemption of the public debt, is - - - 200,000

And that the increased expences of the peace establishment (exclusive of any charges to be incurred by interest on further sums, to be paid on winding up the expences of the war; and of any augmentation which may take place in the naval or military establishments, but allowing for increase of pay and other expences) may be estimated at - - - 700,000

And also, exclusive of 497,000*l.* interest on loans, due by the Emperor of Germany, and guaranteed by Parliament, may be estimated at - 30,726,772

20. That adding to the produce of the permanent taxes in the year ending the 5th of January 1802, the sum of 1,275,544*l.* paid for corn bounties, and the sum of 1,600,000*l.* being the estimated deficiency of certain duties in the same year, the income applicable to the peace establishment may be estimated as follows:

JUNE 22.]

CARNATIC.

615

Old permanent taxes	-	£.14,497,226
New permanent taxes	-	9,187,288
Further produce of taxes that were deficient in 1801, compared with 1799	-	1,600,000
Further produce of taxes, 1801	-	864,319
Taxes imposed in 1802	-	4,000,000
Land and malt, after deducting land-tax re-deemed	-	2,060,000

 32,208,833

And that a further sum of 454,340l. arising from annuities, which will expire at the periods undermentioned, viz.

In 1805	-	-	-	-	56,554
1806	-	-	-	-	8,152
1807	-	-	-	-	15,515
1808	-	-	-	-	374,119

 454,340

will then also be applicable as well as such sums as may from time to time arise from the savings on the interest of stocks which may be reduced to a lower rate, and which, supposing the whole of the stocks to be reduced to 3 per cent. would amount to 1,491,890l. which sums are exclusive of any allowance for the profit of a lottery, or for any participation of the territorial revenues of India.

Mr. Tierney said, if the right honourable Gentleman wished for a discussion on the resolutions, he thought it would be better to postpone that discussion till Friday.

The *Chancellor of the Exchequer* said he had no particular appetite for a discussion, but he was extremely anxious that Gentlemen should have sufficient time to consider the resolutions, in case any discussion should take place. He had no objection to Friday, and therefore moved that the debate should be adjourned to Friday. Agreed to.

CARNATIC.

Mr. Nicholls, in pursuance of a former notice, rose to call the attention of the House to the late transactions in the Carnatic. He set out with giving a short sketch of the powers, privileges, and rights of the East India Company, and he distinguished their rights as to property, and with reference to dominion. The one was not under any pretence to be invaded. The other was to be exercised in the way of a trust; and

and subject to controul wherever the national character and interests were concerned. He referred to the wars which the East India Company have carried on, and contended that though the most arduous of these might be held just by this country, they were viewed in a very different light by foreign nations. Whatever, however, might be thought of these wars, they stood for their justification on a footing very different from that on which the late transactions in the Carnatic rested. Hyder Alli and Tippoo Saib were the open, the avowed, the determined foes of the British empire and the interests of India. The nabobs of Arcot were, on the contrary, our tried and affectionate friends. They were united to us by the ties of a common interest; they were induced to support us by the dread of a common danger. They deserved every return of kindness at our hands, and an act which deprived the lineal descendant and undisputed heir of the late nabob of his throne, was an act which every consideration of national honour required to be explained. The honourable Member was going on to shew that this act was contrary to the law of nations; and entering on an extended view of the subject, when he was interrupted by

The *Speaker*, who informed him that the Lords desired an immediate conference on a matter of the highest importance. It was the consideration of the Lords' amendments to the English militia bill.

The Messengers were accordingly introduced, and the desired conference granted.

The Members who managed the last conference were re-appointed, and each Member, on his name being called over, went forth to the painted chamber.

Lord *Glenbervie* was appointed president on the part of this House.

On their return, his Lordship reported that the Lords insisted on one amendment.

His Lordship moved, *pro forma*, that the House do persist in rejecting this amendment, which was negatived.

The House then agreed to give up the amendment, and Lord *Glenbervie* was sent to the other House to apprise their Lordships of this determination.

Mr. *Nicholls* then resumed his speech, but had only uttered a few sentences, when

Mr. *Sheridan* moved that the House be counted.

It was found that only thirty-three Members were present, and consequently an adjournment immediately took place.

HOUSE

HOUSE OF LORDS.

WEDNESDAY, JUNE 23.

After some routine business was disposed of,

The Earl of *Suffolk*, pursuant to his notice of the preceding day, rose to call the attention of the House to the circumstances of India, and particularly with respect to the state of its debts. Before he proceeded to his main subject, he adverted to those topics which were to form the ground of a noble Earl's propositions, then absent, and respecting which some important information was speedily expected. In regard to one of those, the deposition of the Nabob of Arcot, he expressed his disapprobation of the measure of the British Government: the grandfather of the present Nabob was the old and faithful ally of this country, and to that prince, or to his predecessors, he said, we were indebted for every thing we possessed in India. The dominions which the old Nabob left to his grandson, a youth of eighteen or nineteen years old, were now possessed by British troops. With respect to the affair of Oude, he seemed to consider it almost as reprehensible: nearly one-third of those dominions were taken possession of by the British. His Lordship adverted to the geographical situation of Oude, which was a frontier country between the British dominions and the Abdallah's, one of the most powerful situations in the North of India; it was therefore good policy to cultivate the friendship of the Government of Oude, instead of acting so as to alienate it. A part of our troops which were paid by the Government of Oude, and for which fifty lacks of rupees were charged; that sum was, however, lately raised to one hundred lacks; a fact which he thought required explanation; and, as we understood his Lordship, the revenues of that part of Oude, of which the British Government possessed itself, amounted to one hundred and thirty-five lacks; while observing upon those points, the noble Earl quoted a late report of a committee of directors, made in March 1802, which adverted to the bad policy of endeavouring to extend our dominions in India. This report he referred to more than once in the course of his speech, and also to the letter of the late President of the Board of Controul, whom the noble Earl seemed to regret was not in that House, in order that he might answer or explain what he should have occasion to comment upon. With respect to the financial circumstances of India,

he asked why there had been no Indian budget of late? With respect to the debts of India, though by the accounts before the House, they did not amount to much more than eighteen millions, he thought he could prove them to amount to considerably more. The noble Earl then entered into a detailed statement of this part of the subject, in which he seemed to calculate that the expences of the late armaments, on the part of India, increased her debts to the amount of about four millions, to which was to be added, the four millions to be paid to Government on the renewal of the company's charter, in 1793, of which, it appeared, no more than 500,000. had been paid: this would make the aggregate amount of debt to exceed 25 millions. He observed upon the financial statements of the late President of the Board of Control, which he contended were erroneous; and he alluded to a former assertion of that right honourable Gentleman, that the finances of India would be a relief instead of a burthen to those of Great Britain. The expedient of sending money out of this country to India, he censured as highly injurious; and he likewise argued against several parts of the system of policy lately adopted with respect to India. He alluded to the treaty of El Arish, and to the ill effects of the non-ratification of that treaty, which he yet hoped would be thoroughly investigated on a future day. While adverting to the measures of the late President, he observed, that should a statue be erected in honour of him, as was proposed of his right honourable Friend, it could not be of gold, for he believed there was not gold enough left in the country to form it. After arguing to the above effect for some time, the noble Earl concluded by moving for the production of certain accounts relative to the capital stock of the East India Company, together with certain accounts respecting the bond debts, rates of interest, &c. of the same;

The Earl of *Dartmouth*, in answer to what had fallen from the noble Earl who had just sat down, first observed, that he saw no objection to the production of these accounts called for. He said, it would be unnecessary for him to take up the time of the House in following the noble Earl; much of what he said, being irrelevant to his main or regular subject of discussion, or intended for future discussion; in the course of which he doubted not, that the expected information would evince, that the noble Lords entrusted with the Government of India, and whose measures, on those occasions, were arraigned by the noble Earl, had acted upon principles of sound

sound policy and justice. His Lordship then entered into a detailed statement of some length, relative to the provincial affairs of India, and which were drawn from official documents and extracts, which he regularly referred to as he proceeded, and the result of which, he was confident, must do away the unfavourable impressions received by the noble Earl, and shew that the debts of India by no means amounted to what the noble Earl had stated, or that its financial concerns were in such a state as he seemed to imagine; to follow the noble Earl at the head of the administration of India, in his financial statements, would be impossible; the result was of the above general effect. He stated the progressive increase of the debts of India from 1786 to 1801, and classed these under the different heads to which they appertained, of foreign bills, investments, assets, &c. and calculated that the whole did not exceed 18,637,000*l.* as stated in the official documents before the House. He contended that the debt was not incurred by the expences of the war, in the degree the noble Earl seemed to imagine. With respect to the increased charge for the troops to the Government of Oude, they were stationed pursuant to the provisions of the treaty for the defence of that country, and circumstances requiring an increased number of troops in that quarter, a proportionate charge of course took place. He contended that the state of India was of late very much improved, particularly on account of the introduction of the system of English jurisprudence, and the benign influence of our laws, into that country. The resources of India were in a flourishing state, and her debts would be put into a train of expeditious liquidation, one ingredient in which, undoubtedly, is a system of strict economy, and also a reduction of the military establishments of India. A great deal in the way of liquidation would be effected, by transferring the debts of that country, through the medium of commerce, to Leadenhall-street. After expatiating for some time on the result of his financial statements, which were to the effect above mentioned, the noble Earl concluded by repeating that he had no objection to the motion.

The Earl of *Suffolk* said a few words in explanation, and adverted to the advantages the noble Earl at the head of the Board of Controul had in recurring to official documents; it was impossible for him to refer to papers which he had not seen; he had no doubt of the statement being correct, and

he expressed his satisfaction at hearing that the military establishments of India were intended to be reduced.

The question was then put, and the accounts were ordered to be produced accordingly.

The order relative to the bill for the prevention of illicit games, which stood for a third reading, being read,

Lord *Holland* rose, and stated a variety of objections to the bill, many of which were given in a strain of irony and refined humour. He considered the subject as unworthy the attention of the Legislature, and argued that the existing laws were abundantly sufficient to counteract the evils the bill professed to remedy; indeed the interposition of the British Legislature on such occasions as the present, reminded him of the anecdote related of the illustrious Newton, who on that occasion, certainly did not reflect with his accustomed wisdom and philosophy. That great man having been by some accident shut up in a room, in which was also a cat, a hole was cut to admit the animal to pass in and out; but this cat soon after having a kitten, the philosopher recommended that a smaller hole should be cut for the accommodation of the kitten! So was it with the Legislature in the case before them, the existing laws were abundantly sufficient not only for this, but for objects of greater magnitude, and which they effectually counteracted. Under this impression, he would move that the further consideration of the bill be postponed for three months.

The *Lord Chancellor* replied to the observations of the noble Lord, at some length. He thought the thanks of the House due to him, for calling their attention to bills of this description, and the principle upon which he acted was highly commendable. He was induced, in the present instance, to postpone the bill for a short time, but not on the grounds altogether urged by the noble Lord: there were certain provisions in the bill which required farther consideration, and indeed, some of these were not quite intelligible to himself, it went to the suppression, among other illicit games, of little goes. Now, these he understood, were of various descriptions, from the illegal lotteries held in public houses, down to what may be called the gingerbread E. O. which were played for in the streets, many sorts of innocent raffles, such as those played at watering places, public libraries, &c. may come under the present provisions of the bill, and it may not be quite convenient or proper to commit those engaged in them as vagrants, as was therein provided; for these and
other

other reasons, therefore, he was induced to move to postpone the further consideration of the bill till Friday.

In consequence of what fell from the noble and learned Lord, Lord Holland was induced to withdraw his motion, and the proposition of the Lord Chancellor was ordered accordingly.

The order being moved for receiving the report of the alien's bill,

The Earl of *Suffolk* rose, in consequence of seeing a noble Duke in his place, whose conduct under the bill in question, in a particular instance, he had occasion to refer to the preceding night; and as a certain degree of misrepresentation had obtained, in some of the public prints, relative to his statement of the case, he wished to state the circumstances again, in the presence of the noble Duke. His Lordship then repeated the circumstances of the case of l'Abbé Séchant, nearly as he stated them the preceding night, with the addition that he was a native of Strasbourg, which was the place of his destination when he was sent out of this country, and that Gravelines was the place at which he was detained. As to the connection of the Abbé with the late Director Rewbell, upon which so much stress had been laid, it consisted principally in an intended matrimonial alliance between the aged Abbé and the aunt of the director. The Abbé had not been in France for thirty years before, and most probably had not seen Rewbell since he was a boy. The noble Earl, in the course of his address, adverted to some observations which had been made in the preceding night, and explained the particulars of his acquaintance with the Abbé, the intercourse between him and the noble Earl's family, and his favourable opinion of the Abbé, &c.

Lord *Pelham*, in answer to what had fallen from the noble Earl, and after shortly alluding to what he had said on the subject of misrepresentation, proceeded to vindicate the conduct of the noble Duke, in the instances in question, as not only proper, and unobjectionable, but as called for by the necessity of the case, and further, that his Grace had acted with humanity and indulgence towards the person alluded to. The manner in which the noble Earl had treated the subject on a former night, had certainly made an impression on him, which rendered him the more anxious to vindicate the conduct of his noble Friend; the noble Secretary then described the real state of the case, referring to official documents for the particulars, and the conclusion of which, his Lordship

Lordship said, was, that in April 1798, the Abbé applied for permission to go to France—this it was judged proper, for certain reasons at that time, to refuse. In July it was deemed advisable that he should be sent, and speedily, out of the country. Accordingly an order was sent, but instead of forty-eight hours, he was, on account of his advanced age and infirmity, allowed four days to prepare himself.

The Earl of *Suffolk* and Lord *Palham* severally spoke in explanation.

Lord *Holland* then rose, and was proceeding to combat the principle of the bill, when he was reminded by

The Lord *Chancellor* that there was no question before the House,

It was then moved, that the bill be read a third time the next day.

Lord *Holland* again rose, and in a very able and argumentative speech combated the principle, the expediency, and the provisions of the bill. He considered the subject in three great points of view, each of which he fully illustrated. He first applied himself to the consideration of the necessity of the measure under the present circumstances of the country, and contended that no sufficient reason had been submitted to their Lordships for adopting a bill so very hostile to the principles of our free constitution, and so contrary to the practices of our ancestors. He denied that any change had taken place in the situation of the country which at all called for so violent a law. The argument drawn from a change of circumstance, was an argument which had been used at all times to justify acts of the greatest tyranny. Whoever looked back to the history of the last century, must see that the danger from aliens in this country were much greater than any which now existed. It was impossible to deny that with a strong party in the country, hostile to the reigning family, the machinations of foreign emissaries were infinitely more dangerous than those of any such desperate characters, supposing them now to exist. Yet no such measure had been resorted to; the ordinary powers of law were held to be sufficient for securing the public tranquillity. The present was a new measure; it was a measure odious to the spirit and inconsistent with the practice of the constitution. On this head his Lordship dwelt very circumstantially, and reasoned with great force and ingenuity. The next point of view in which he considered the question was, how far, supposing such a measure necessary, the present bill would operate as an effectual remedy. For the

the purpose of guarding against any dangers to be apprehended from aliens, he conceived it in a great measure nugatory. He put this matter in a very strong light, by directing the attention of their Lordships to the case of aliens entering into our service, and after two years becoming naturalized subjects. To such persons the provisions of the present bill would not at all apply, but who could have better means of carrying on any dangerous schemes, if their views were mischievous. The third point of view in which his Lordship argued the question was, that the inconveniences produced by the bill were greater than any which it could prevent. On this head he enlarged, not only on the possibility and the probability, but the actual experience of the severities to which, under the provisions of this act, aliens were exposed. He pointed out the discouragements which the bill would hold out to respectable aliens, who might otherwise wish to settle in this country, and urged very powerful considerations against it, from the checks it would impose on commerce. Having gone through all these arguments, his Lordship concluded by giving the bill his hearty negative.

The *Lord Chancellor*, in the course of his speech in answer to the noble Lord, complimented him on the degree of candour which in general he had manifested in his opposition to the bill. He deemed it unnecessary to follow him through the whole of his objections, the greater part of which had already been fully discussed and decided upon. With respect to the question relative to the permanent residence of aliens in this country, he was not then prepared to give an opinion; it was a question on which duly to decide required a great degree of consideration. With respect to the bill in general, it was not, he said, a new measure, it was only continuing a measure which had long existed, and from which much benefit had been derived. It might be thought by some, that whatever dangers might exist during the war, against which it was necessary to provide a measure like the present, yet that those dangers had ceased at the conclusion of that war; he thought otherwise, and that even a greater danger was to be apprehended in a period of peace, from the influx of foreigners into this country, than during the war. He trusted he possessed as much rational humanity as any noble Lord, but he conceived that humanity towards the country was true humanity to individuals. The firmness and energy displayed by this country in resisting the operation of that poison, the baneful effects of which had been so severely felt in some

some parts of the continent, had not only been in the the highest degree beneficial to this country, but had also enabled other countries to oppose a resistance to the danger with which they were threatened, which could not have been otherwise in their power. It had been asked by a noble Lord, why not proceed by indictment, instead of having recourse to extraordinary measures like the present; but the fact was, that a prison had sometimes been made the headquarters of certain affiliated societies, and to send men of the description which this bill was intended to reach to a prison, would be only giving them additional means of pursuing their nefarious plans. The act respecting aliens, of which the present bill was to a certain extent a continuation, contained a provision, according to which, that act was to continue for six months after the conclusion of the war, and from thence to the end of the then next session of Parliament. This provision was evidently made for the purpose of giving the legislature time, after the conclusion of the war, to consider of the propriety of continuing it. He was of opinion that it would be highly expedient to carry the present measure into effect; he admitted that it was an evil, but they had only a choice of evils, and this was the least. He thought, at the same time, that it would be better to make the bill temporary; an idea had been in his mind that a clause might be introduced into the bill for that purpose; but upon looking into it, he found there were several clauses which it was necessary to make permanent, he therefore relinquished that opinion which he had at first formed; noble Lords would, however, have an opportunity of considering in the next session the propriety of introducing any measure for the purpose of altering the present bill, if it should be thought necessary.

The bill was then ordered to be read a third time the next day.

The several bills on the table were forwarded in their respective stages. Adjourned.

HOUSE OF COMMONS,

WEDNESDAY, JUNE 23.

The amendments made by the Lords to the Scotch militia bill were considered, and agreed to.

The Chairman of the committee appointed to consider of a plan for providing better committee-rooms and other convenience for the use of the House, brought up the report, and on the motion that it be laid on the table,

Sir

Sir *William Dolben* rose to make some observations on the tendency of the plan proposed. He was glad to find that it was limited to some improvements which were to take place before the next session, for the better accommodation of committees; but he was also sorry, that if a great sum was to be laid out in the purchase of grounds for the sake of these improvements, that the committee had not proceeded upon a larger scale, and looked out for a more central and convenient spot than that which was now occupied by the two Houses of Parliament. When St. Stephen's Chapel was first chosen for a place of meeting of that House, the motives which suggested the choice were, its vicinity to court and to the residence of the great officers of the state; but the court was now at a great distance from it, as were also the inns of court, most of the public offices, and likewise the city. Indeed, the residence of the greater part of the Members was at the distance of two miles from the place they now met in, which might be considered as at the very tail of the town. If an intention was entertained of better providing for the accommodation of Parliament, in his opinion a more central situation should be made choice of, and there was none which better answered every purpose of convenience than the spot where now stood the King's Mews. His Majesty's well-known disposition to make every sacrifice in his power for the ease and comfort of his Parliament and subjects at large, would no doubt induce him to give up that spot if deemed more convenient, and on it might be erected a most noble and magnificent structure, worthy of the country, and calculated to strike the eye of foreigners on their arrival in this great city. He had no objection, however, to offer on this subject, but merely threw out these observations for the consideration of the committee.

Lord *Glenbervie* professed much respect for the opinion of the honourable Gentleman, but was at a loss to find any weight in his objections respecting the distance of the present Parliament House either from the court or the public offices.

The report was then ordered to be considered the next day.

A message from the Lords informed the House that their Lordships had agreed to the foreign postage, the Irish controverted election, the stamp and auction duties bills, to the Exchequer bills' bill, to the marine, mutiny, innkeepers' allowance, Irish Chancellor's salary, and the Irish lottery-office bills.

Mr. *Wallace* observed, that as an imperfect copy of a paper, purporting to be a letter from Hussein Cawn, &c. &c. the reputed son of the late Nabob of the Carnatic, had got into circulation through the medium of the newspapers, it was proper the House should be put in possession of an accurate copy of the same. He then moved, that the said paper be laid before the House, which was ordered, and that paper, together with several others moved for on the 21st instant, were afterwards presented. Ordered to lie on the table, and to be printed.

THE CARNATIC.

Mr. *Sheridan* expressed his regret that the thin attendance of the House the preceding day prevented an hon. Gentleman from delivering a very ingenious and elaborate speech, in which they would have heard a complete account of our government and governors in India, from our first settlement there down to the present time. The House in this case had certainly sustained a very great loss by their own negligence; but as the fault appeared to him to bring with it its own punishment, he should not subject the House to a new penance by entering at present into a similar detail. He said, he intended to follow a very different course, (to avoid all detail whatever. There was no middle way that in the present affair could be adopted: either the whole of the East India Company's transactions must be at present investigated, without any evidence or documents to guide our enquiries, or the whole subject must be deferred till the necessary information on both sides could be brought forward; and this last course he intended at present to adopt, as the wisest and the most expedient. He found himself called upon, however, to say a few words to account for his conduct in this business the preceding day. It had not been a habit with him to insist upon Members attending to their duty, or to count out the House upon discussions even of more importance than the present: nor had an honourable Gentleman opposite to him (the Chancellor of the Exchequer) been in the habit of quitting the House, even when matters of far less importance were to have been brought forward. The conduct of both, the preceding day, therefore, required some explanation. When information respecting any public business was required by any Member, there were, he conceived, only two modes of proceeding—either to apply to his Majesty's Ministers, or, failing to receive satisfaction from them, to have recourse to the House. In the present instance he had applied to his Majesty's Ministers,

nisters, and they had fairly declared to him, that information essential to the proper investigation of the subject he had formerly intended to submit to the House, had not yet arrived. With this declaration he had rested satisfied for the present, and did not think himself justified, with such imperfect documents as had yet arrived, to proceed in an inquiry that might implicate the character of one in a very high situation in India. Some time after forming this resolution, he was surprised to find that a certain honourable and learned Gentleman, struck, as it were on a sudden, with a new species of sensibility, and with sentiments certainly very unlike those which had appeared to actuate him on the trial of a former Governor-general of India, had thought himself called upon to undertake the subject. That honourable and learned Gentleman wished him (Mr. Sheridan) still to take the lead in the business, while the honourable Gentleman was only to stand up by way of second, to deliver that learned and laborious speech which the House had very nearly been fortunate enough to hear the preceding day. In consequence of this, it had been agreed between them that they should deliver their sentiments on the Indian affairs on the same day; for which purpose, Tuesday had first been pitched upon, but from motives of convenience they had afterwards agreed to postpone the business till Wednesday. In the mean time, however, the honourable and learned Gentleman began to suspect that some foul play was intended, and to become apprehensive, that if he delayed till Wednesday, the House might not meet on that day, and that he should thus be tricked altogether out of an opportunity of delivering the eloquent and elaborate speech above alluded to. To prevent this apprehended trick, he had the preceding day suddenly opened his motion, and at the very entré accused him (Mr. Sheridan) of having neglected the business, and thus forced himself to take it up. "But whatever negligence," said Mr. Sheridan, "may be imputed to my conduct, in other respects, I cannot be charged with having neglected to bring the errors of the governors in India before the public, and to enforce the necessity of punishing their crimes in an exemplary manner. He accuses my conduct as tending to occasion delay in an affair that requires instant consideration; but, in my opinion, his own conduct is more likely to produce delay: for what effect can a precipitate motion, founded on no documents, on no information, have, but to provoke opposition, and to prevent the voluntary efforts of his Majesty's Ministers to promote an

inquiry? In the method of conducting inquiries into Indian affairs, at least, I may boast I have had some experience, and do not stand in need of the directions of the right hon. and learned Gentlemen. With regard to the time, the occasion, the manner in which it is proper for me to bring forward any motion, I hold myself bound to obey the dictates of no man. I shall act, in these respects, from my own motives, from the dictates of my own mind, and not be guided either by the whims or the feelings of others. On the present occasion, I have already stated, that there are only two ways of proceeding—either to discuss the whole of the Indian affairs with such imperfect lights as we have, or to defer the whole till we can procure more complete information. The motives that induce me to pursue the latter method, I have already stated; and I must do the Chancellor of the Exchequer the justice to say, that he has, in this business, shewn himself extremely willing to produce every document in his power, and has, in no instance, shewn a disposition to keep back any information that has been required. He has even voluntarily moved for papers without requiring reasons to be alledged by others for their production. When such was the Chancellor of the Exchequer's conduct, it was impossible that I could follow any other course than that which I have at present chosen. I should not think myself justified in endeavouring either by an inflammatory or declamatory harangue, to prejudge the question before the necessary information respecting it can be procured. After the willingness which he had shewn to promote an inquiry into this subject, I need not inform the present Minister, who has not hitherto intermeddled with Indian politics, and who is still unpolluted by the crimes of that Government—I need not inform him, that this subject requires his most serious consideration. It is unnecessary for me to enter into a train of argument to prove the rights of the Indian princes to their own dominions. Since the settlement made in the year 1763, we have ourselves uniformly recognized the title of the rights of the Nabob of Arcot. Yet, in defiance of this right, the lineal heir of that dominion is now deposed by us on account of the alleged crimes of his grandfather and his father. In considering the evidence on which the reality of these crimes rests; it is necessary to inquire who were the detectors? We shall be answered, the Government of India. Who were the accusers? The Government of India. Who were the witnesses, the judges, nay still more let us ask, who were receivers of the forfeitures incurred by these crimes? The Government

Government of India. In the Government of India, we at once find the detectors, the informers, the accusers, the witnesses, the judges of the crimes, and the receivers of the forfeitures incurred by them. This, it must be owned, looks suspicious; and is surely alone sufficient to demand a serious investigation of the subject. The imperfect documents which are at present in our possession by no means tend to lessen our suspicion. I shall, however, be very happy, if farther information, when it arrives, shall do these suspicions away. But if the contrary should be the result, I shall also be happy if his Majesty's Ministers will of themselves take the necessary steps to the execution of justice. If, however, neither alternative shall take place, I will most certainly, in the next session of Parliament, myself bring forward the subject, with the spirit that ought to actuate an independent Member of this House, who is influenced only by motives of public good, and who has also some experience to guide him in the measures proper to be pursued. If such transactions have been carried on, if such oppressions have taken place in India, as has been represented, I pledge myself to prove to the House that such measures are equally impolitic and unjust. At present, however, I shall content myself with recommending the subject to the serious consideration of the House; and with presenting a petition from the regents of the Carnatic to this House. It may indeed, I believe, be required by the strict rules of the House to identify the persons that sign this petition to be really what they design themselves to be; but in the present case, I hope the House will be satisfied with the only evidence the case admits of, the conviction of the Member that presents the petition that they really are so. The House will also consider, that it is to Parliament alone that this petition can be presented. In such cases as this, no appeal lies to any other Court. The Crown itself has no power to redress the wrongs of the sufferers; the Parliament is the only competent tribunal. Mr. Sheridan concluded by moving,—that the petition from the regents of the Carnatic, which he held in his hand, be received and lie on the table.

The *Chancellor of the Exchequer* said, he was sure the House would do him the honour to recollect, that on various occasions, when petitions were presented to the House, and when doubts had arisen in the minds of Gentlemen, as to the propriety of receiving such petitions, he had always shewn a disposition to receive them, provided they contained nothing that was indecorous,

indecorous, and prayed for such relief as the House could with propriety grant; for it had always been his wish to give to the House a facility of attention to complaints that were made, and to grant such relief as was in the power of the House to grant. But, with this disposition, and every desire to shew all possible favour to the petitioners, he entertained some doubt, whether the petition which had been opened by the honourable Gentleman who had made the motion, was of such a kind as could be received by the House. It seemed that the petitioners styled themselves regents and descendants of the late Nabob of the Carnatic.

Mr. *Sheridan* said, he proposed the petition as coming from subjects of the British power in India.

The *Chancellor of the Exchequer* said, that his doubt was removed as to this point. He should have thought, that had the petitioners been styled regents of the late Nabob, &c. there might have been some difficulty about receiving it, lest it might be said, that the House of Commons had recognized a title which might afterwards turn out to be unfounded. It might therefore be thought improper to recognise a title which was thereafter to be considered. He was, however, desirous of considering this petition in that point of view, that was most favourable for its reception. It might be contended, that these persons now petitioning the House, were not subjects of the British power in India, as they were now stated, but that was a point which he should not now discuss: that might introduce a doubt how far the petition ought to be entertained, inasmuch as it did not come from the description of persons on whose behalf it was offered. He had no disposition to discuss such topics; it was enough for him to see that the petitioners stated a grievance, which might be redressed by the British Parliament: and, as they applied to the British Parliament for relief, he, for one, was not disposed to resist the bringing up of the petition. He had very little more to say on this subject, because he concurred with the honourable Gentleman who made the motion, in one general sentiment he had expressed, that there was no alternative on this occasion, for that the House must either go minutely into the subject in all its parts, or abstain from the discussion of it altogether. Thus far he agreed with the honourable Gentleman, but he must be permitted to express a regret, that from one or two of the expressions of the honourable Gentleman, he appeared to have deviated from that sentiment. He had said, that if any judgment could be formed

formed from the papers on the table, criminality would attach to those who were at the head of the Government of Bengal, but of which, however, the honourable Gentleman admitted no decided opinion could be formed. Now, the Chancellor of the Exchequer said, whatever his opinion had been of the conduct of these noble persons to whom this observation referred, it would not become him, in the present circumstances (there being no official detail upon the subject), to deliver that opinion to the House, for the House could not form a correct judgment as to the propriety of that opinion, because the House was not in possession of the necessary documents for that purpose. He would go further and say, he could not even permit himself to form a conclusive opinion without all the documents; but while he said this, he should also add, that as no inference could be drawn from the documents before the House, his opinion was, that no criminality whatever did attach, either to the Governor-general or to the other high character alluded to on this occasion. He said this on a view of the papers as they stood at present, and appeared before the House. He firmly believed that no criminality whatever would be found to attach to these noble persons. Further than this he was unwilling to go into this subject at present, being convinced it would be thoroughly discussed in the next session of Parliament. What would be the opinion of the House hereafter it did not become him to foretell, but he was confident he was not asking more than the House was disposed to grant, when he asked them to pause before they gave an opinion upon a subject so interesting to the British character in general, and that of those noble persons in particular, who had been so long employed in, who had been so steadily attached to, the public service of this country; on whose conduct, either for want of exertion or breach of faith, no blame or suspicion had ever yet attached. He thought the House would not think it too much for him to ask them not to say there was a bias on their minds unfavourable to these noble persons, and inconsistent with the character they had hitherto maintained. He felt a satisfaction in reflecting, that the House would not entertain any sentiment coming from any quarter unfavourable to these noble persons, before the whole of the circumstances of the case came before them by authentic documents, and then, he verily believed, the whole case would appear highly favourable to these noble persons.

Mr.

Mr. *Nicholls* entered at large into the motives which induced him to come forward on the present discussion; after which the petition was brought up and ordered to lie on the table.

Mr. *Nicholls* then rose to make his promised motion respecting the late transactions in the Carnatic. He contended that the East-India Company was entering on a system of universal dominion; a system that would necessarily lead to a new war, that would drain the resources of this country, and to which the means of the Company were wholly inadequate. Indeed they were already loaded with a debt of twenty-four millions, and they must soon be obliged to come to that House for assistance. As to the conduct of the Governor-general of Bengal, a strong presumption of criminality arose from the long delay which occurred in the arrival of the papers that were said to contain his justification. That acts of oppression and injustice had been committed against the son of the late Nabob of Arcot there existed but little doubt in his mind, and he thought it the first prerogative of the Crown to examine into and redress such acts. He should therefore move,—That an humble address be presented to his Majesty, humbly requesting that he would be graciously pleased to direct such measures to be taken as in his wisdom he may deem expedient, for the immediate examination of the claim of the East India Company to the dominions of Omdut ul Omrah, late Nabob of the Carnatic; and that justice may be done to his Highness Tajee Ul Omrah, his only son, and the successor appointed by his will.

The motion not being seconded,

The *Chancellor of the Exchequer* moved, that the House do now adjourn, and the House was accordingly adjourned.

HOUSE OF LORDS.

THURSDAY, JUNE 24.

The *Lord Chancellor* pronounced judgment in the appeal *Harlow v. the Heritors of Peterhead*, the interlocutors complained of were in part reversed and in part affirmed.

In the appeal *Hog v. Thwaites*, interlocutors complained of reversed.

In the appeal *Wilson v. Lord Provost of Edinburgh*, interlocutors complained of reversed.

His Lordship took a view of the particular bearings of each particular cause, and all the considerations that belonged

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ed to them. Upon the last, in which the Fleishers of Edinburgh and the Body Corporate were appellants and respondents, he was most comprehensive and copious in his observations.

Lord *Thurlow* made a short speech on the latter, and said, he came down to the House with a notion of reversing the interlocutors *in toto*; he was willing, however, to submit to the judgment pronounced by his noble and learned Friend, but he hoped when the cause came back again for rehearing, which it undoubtedly would do, the Court of Session would do themselves the credit of giving their Lordships fuller information of what were the customs and usages of Edinburgh in respect to the subject matter of the litigated contest.

The alien bill, and the bill to prevent the stealing of deer, were read a third time and passed, and notice sent to the Commons.

The *Itchin* navigation bill was reported with amendments. The paper duty bill and several others went through committees of the whole House, and were reported without amendments.

Adjourned till half after one the next day.

HOUSE OF COMMONS.

THURSDAY, JUNE 24.

The report of the committee appointed to consider of and procure a plan for providing the House with more convenient committee rooms and offices, was taken into consideration.

Mr. *Banks* moved, That the plan be submitted to his Majesty, that he be requested graciously to take steps for carrying it into effect, and assuring his Majesty that the House will make good any expence attendant on the same. The motion was adopted.

DR. SMITH'S NITROUS ACID.

Mr. *Wilberforce* called the attention of the House to the report of the committee on the petition of Dr. Carmichael Smith, stating his claims to some reward for his discovery of nitrous fumigation, in preventing the spreading of contagious disorders. The honourable Member, in a short but very apposite speech, insisted on the certainty, the importance, and the novelty of the discovery. Its certainty was proved beyond even the possibility of a doubt, in the report which had

lain for several weeks on the table. A variety of striking instances of its efficacy were there collected, and the authority of the greatest medical practitioners was adduced in favour of its merit and utility. On this head he referred to one or two cases contained in the report, which he selected merely as being of so conclusive a kind that they put doubt or difficulty to rest for ever; nor was the importance of the discovery inferior to its certainty. The dreadful consequences of the propagation of contagious disorders it was needless to dilate upon, for they formed the subject of woeful experience. Not only in large hospitals on land, but in prisons; in ships destined to a long voyage; in transports filled with troops going on a distant expedition, the ravages of contagious disorders were frequently dreadful. To state this, was to admit, in the most unequivocal terms, the importance of a discovery which was to allay their virulence, and to confine the circle of their ravages. Of the novelty of the discovery he would say nothing, for hitherto it was undisputed; all medical and scientific men allowed to the ingenious author the full merit of the discovery. In whatever point of view it was considered, it did appear to him a discovery of that magnitude, of that importance, of that vast public utility, that he thought the House could not hesitate a moment about the propriety of bestowing on its ingenious author a suitable reward. He therefore concluded with moving an address to his Majesty, humbly representing to his Majesty that it appeared to the House that Dr. James Carmichael Smith, having long directed his attention to the best means of preventing the progress of contagious disorders, at length discovered and introduced the use of nitrous fumigation into the army and navy, the naval and military hospitals, and therefore praying that his Majesty would be graciously pleased to order a sum to be advanced to the said Dr. James Carmichael Smith, and to assure his Majesty that the House would make good the same.

Mr. *Erskine* bore ample testimony to the merit of the discovery, allowed, in the fullest manner, the claims of the ingenious and learned author to reward, and heartily seconded the motion.

Mr. *David Scott* (late Chairman of the East-India Company) observed, that he should not obtrude himself upon the notice of the House for many minutes, and, indeed, should not have troubled it all, had he not felt himself, in honour of humanity, as also in justice to Dr. Carmichael Smith, bound

to

to give the result in his mind, after unremitted investigation into a subject considered by him of the first importance to the human race, and which, from the particular situation that he had the honour to fill, he had the best opportunity of making. From the nature of his office, he found that the meliorating the situation of troops on board transports rested much with the Court of Directors of the East-India Company; and therefore, in concert with his brethren, he studied the means most effectual for saving the lives of the troops embarked for foreign service. From the great mortality that had happened to the soldiers sent to the West Indies, notwithstanding that they had the best of food, cloathing, and plenty of good accommodation, with every comfort that experience had hitherto enabled the state to give, it was still obvious, that unless some medical remedy could be found, no dependance could be put upon the number that would reach their destination, or live after they did reach it. On reading Dr. Smith's book on the effects of the Nitrous Fumigation recommended by him, and considering his high character, it was deemed worthy of immediate trial. Orders were given for its being tried at Portsmouth, under the inspection of very respectable officers, and several private trials were also directed at sundry places. The result of these trials occasioned the Court of Directors, from their anxiety for the preservation of the lives of the mariners and troops in the Indiamen, to direct all their ships to be provided with the materials and instructions recommended by Dr. Smith, for the commanders to see that his instructions were most strictly complied with, and from time to time to report thereon. There had not, as yet, been time for regular reports from the returning ships; but he, without hesitation, could declare, that, as far as his enquiry had gone, there had not been a single instance, where there had been a fair trial, of the effects not proving such as described by Dr. Smith, and such as were so repeatedly met with in the body of evidence before the House, from the committee, and which had just been so well illustrated by his honourable Friend below him, who acted as chairman of the committee, and made such deep researches into every part of the subject as made the truth clear to every member of it. Such was the opinion at Bombay, in consequence of the reports from these ships, that the Government there, who were alarmed in case of the plague being imported from Egypt, when it had broken out in one part that our troops had possessed them-

selves of, ordered that the lazaretto ships should be provided with Dr. Smith's nitrous acid, &c. The Governor-general, it was understood, on being applied to by the King of Persia, for a physician, and preventative for the plague, directed a surgeon in the Company's service at Bagdad to be supplied with the same, and the general opinion of the best informed was, that, if properly administered, this most valuable discovery would be equally efficacious in curing it. Mr. Scott observed, that he could not better explain the impression made on his mind by the result of the most anxious enquiry into this subject, than by saying, that he made the whole that had come under his notice known to the late Minister, Mr. Pitt, as one of the greatest and most happy discoveries ever known. In regard to the sum proposed of 5000*l.* he was confident no well-informed man, in the House or out of it, would look to it, or consider it meant as an adequate pecuniary remuneration for the discovery: indeed, if money was to be granted equal to Dr. Smith's merits, he knew not where the House should stop. Although he should with pleasure give his voice for that sum, he looked upon it as nothing in the scale when compared to the distinguishing mark which accompanies it, of the House's resolutions in Dr. Smith's favour, and which must stamp his fame for ever. Taking it in this point of view, the remuneration was great, but nothing more than his superior merit well deserved. Mr. Scott afterwards mentioned a Company's ship, in which about eight hundred troops were sent out, and where this discovery was regularly used; that she lost only three men, while there was such numbers lost in the other ships as had been just related by his honourable friend, Mr. Wilberforce. He then apologised for taking up so much of the time of the House, and concluded by observing that he hoped it would be understood, on this vote, that the 5000*l.* should be clear of fees and every charge: that the last vote, so favourable to humanity, for the celebrated Dr. Jenner, reflected great credit on the House, and he was happy in the idea that the vote of this day would be as honourable to the Parliament as to the celebrated physician in whose favour it was given.

He was followed on the same side by Lord G'enbervie, Mr. Courtenay, General Loftus, Sir A. Hammond, and the Chancellor of the Exchequer.

The motion was then put and agreed to *nem. con.*

A message

A message from the Lords informed the House that their Lordships had agreed to Lord Hutchinson's pension bill, the land tax redemption bill, the hydrometer bill, the Isle of Man trade bill, and to the Milford Haven bill.

Adjourned.

HOUSE OF LORDS.

FRIDAY, JUNE 25.

The paper duty bill, and several others, were read a third time and passed, and a message sent to the Commons.

The alien bill and the Glenkens' canal bill were returned from the Commons.

Adjourned.

HOUSE OF COMMONS.

FRIDAY, JUNE 25.

The House having agreed to the Lords' amendments to the alien bill, sent a message to acquaint their Lordships therewith.

A message from the Lords informed the House that their Lordships had agreed to the five millions exchequer bills bill, and seven or eight more.

FINANCE.

The order of the day being then read for the resumption of the adjourned debate upon the financial resolutions submitted to the House by the Chancellor of the Exchequer and Mr. Tierney,

Mr. Tierney said, he was merely desirous that his resolutions should be placed upon the journals, and that he was very indifferent whether this was done by their being negatived, or the previous question being put upon them. He should not take up the time of the House with any remarks, as the difference between him and the right honourable Gentleman was inconsiderable, and his chief object was to have his opinions recorded. He concluded by moving the first resolution.

The Chancellor of the Exchequer said he should trouble the House with a very few observations upon the resolutions moved by the honourable Gentleman. In estimating the amount of the national debt, he thought the honourable Gentleman was not justified in charging the valuation of the long

long annuities. He might as well have valued the short annuities; but neither of them could be justly considered as adding to the mass of the debt. They were a charge not an incumbrance. The amount, by deducting this article, would be reduced two millions. In the sixth resolution, the honourable Gentleman had estimated the sum applicable to the reduction of the national debt too low. He ought to have included the dividends received during the last quarter by the commissioners, and the whole would then have amounted to 5,800,000*l*. In computing the produce of the permanent taxes, he ought certainly to have made an allowance for the sum paid away in corn bounties, and for the loss sustained by the stoppage of the distilleries. When that addition was made, the produce of the permanent taxes for the last year would be found to amount to 23,684,514*l*. being more than in 1779, the most flourishing year our revenues had ever known. He was satisfied that the country had ample means to bear all its burthens, and that we might confidently look forward to a long period of national prosperity. As the honourable Gentleman's resolutions differed so immaterially from his own, he did not feel it consistent with his duty to negative them. He therefore begged leave to move the previous question.

Mr. *Tierney* observed that he had not valued the short annuities, only because he knew no way of valuing them. He surely was justified in including the long annuities, as the Legislature, in the sinking fund act, had considered them as a part of the national debt. In the way in which the right honourable Gentleman had framed his resolution about the sinking fund, he was quite correct in stating it at 5,800,000*l*. but he himself had, as on former years, estimated it at what it was on the 2d of February preceding.

Mr. *Vansittart* said it was a matter of astonishment that after a long and expensive war, the difference between the financial statements of the honourable Gentleman (Mr. *Tierney*) and his right honourable Friend, should turn upon only a few points of very small importance. The first and principal point on which there was any difference, related to the value of the long annuities. He proceeded to explain this difference upon the same principle as the Chancellor of the Exchequer had done. He then referred to the other resolutions, and contended, that where they differed from those of his right honourable Friend, they were founded upon error and miscalculation.

The

The *Chancellor of the Exchequer* then rose to state the substance of his own resolutions. Though the honourable Gentleman and himself, he said, agreed in form, yet with regard to the financial situation of the country, in fact, they widely differed. He did not complain of what the honourable Gentleman had inserted in his resolutions, but what he had omitted. He had attempted to supply the deficiency, that he might efface any false impression that might have been made on the public mind. He then read a paper which, at great length, and with very great minuteness, detailed the amount of taxes, the number of ships, the value of exports and imports, &c. The whole of this information had been repeatedly laid before the House and the public. Having at last concluded this statement, he congratulated the House upon the happy situation in which the country stood. We were amply able to satisfy every demand that could be made upon us, and even, without much hardship, to bear new burdens, if it should be necessary to make fresh exertions in defence of our independence and our honour; but he thanked God that he anticipated no such necessity. When the country had flourished so much during war, what might not be expected from peace. In 1786, the sinking fund was to the national debt as 1 to 238, now it was as 1 to 84. When during war we had been discharging our incumbrances, how fast would they be discharged during peace? He trusted that in a future year he would hear the honourable Gentleman recant his opinions, and allow that he had under-rated the resources of the country.

Mr. *Tierney* rose to vindicate himself from the charge of having misled the public. His only object was to give a just and comprehensive view of our financial situation. It was rather curious that the right honourable Gentleman met with the very arms he had used, and that the proposed antidote was composed of the same ingredients with the poison which had communicated the disease. With twelve out of the thirteen resolutions moved by him, the right honourable Gentleman's counter-resolutions almost completely agreed. It was his misfortune to differ from the right honourable Gentleman with regard to the state of the revenue, but upon this, as upon all similar occasions, he had been anxious to guard against infusing despondence into the public mind. He saw no ground for despondence, but only a necessity for a strict attention to our finances, by which, and by which alone, we might overcome our difficulties, though they were undoubtedly

undoubtedly formidable. It should be recollected that there was a great difference between this peace and the last, as the last succeeded a most disastrous war, and during the late war our trade had flourished to an unexampled degree. If the amount of our taxes had been raised by the war, there was, surely, nothing very extravagant in supposing that it might be diminished by peace.

The *Chancellor of the Exchequer* disclaimed all intention of imputing improper motives to the honourable Gentleman. He believed that he felt no inclination to excite despondence, but that he was solely actuated by a sense of public duty. He then resumed the topics on which he had formerly dwelt. He maintained that repayment of the Imperial loan might soon be expected; that we might by and by hope to share in the territorial revenues of India, and that the interest of the four and five per cents might be speedily reduced. He thought it was impossible to look forward with apprehension. However, he only talked of what was probable, and should reckon it no reproach if he found it necessary to resort to extraordinary measures to provide for the national expenditure. He was happy to think that there was no great arrear to be paid off, as at former periods like the present. No Minister had ever provided for the expences of a war like his predecessor. Besides, means had already been taken to wind up the public accounts, and never so much had been before done during the first year of peace.

Mr. *Vanstittart* said he thought he could easily prove that our commerce had nothing to fear from the return of peace. The war had not favoured it; it had flourished in spite of the war. Except to the captured islands, we enjoyed no branch of trade from the war, and that was not to be compared to those of which it deprived us. Our taxes must increase, because our consumption increased. Take the average of the three years before the war, and the last three years, 700 tons of wine were used yearly during the latter period more than during the former, upwards 400,000,000 pounds of tea, and 933 cwt. of sugar. The capital lately employed in loans and contracts, would now be turned to productive industry. During the eight years before the war, seven hundred and fifty acts passed for local improvement, and during the last eight years, eleven hundred and seventy-two. Peace would give a new impetus to these exertions, and during the present session more private business had actually been done than was ever before known. To shew that our commerce

commerce did not gain by the war, he should prove that the commerce of neutral nations had advanced still more rapidly. Mr. Vansittart here read a variety of papers, shewing the prodigious advances made of late years by the Swedes, the Danes, but above all by the Americans. If we were to suffer from the peace, it certainly would be immediately after its arrival; and indeed it had been said that our trade had experienced the most complete stagnation. But the truth was, that our exports and imports, during the quarter ending the 5th of April, exceeded what they were in the corresponding quarter, in the year 1801, always noted for its prosperity. During this quarter in 1801, the official value of exports was 5,105,000*l.* the real value 7,400,000*l.* During the same quarter in this year, the official value of exports was 5,365,000*l.* and the real value 8,343,000*l.* an increase of nearly a million. The imports in the same proportion.

Sir *F. Baring*, as a mercantile man, begged leave to declare it, as his solemn opinion, that our trade must suffer severely. There were many articles, such as coffee, which we imported to the value of many millions, in which our trade would now be inconsiderable. There were others, such as tea, which we might retain by our own prudence, but which at present there was every prospect of our losing, from their being taxed to a degree which they were quite unable to bear.

The *Chancellor of the Exchequer* said, he had heard the honourable Baronet with concern and disappointment. Without any disrespect to him, he must flatly deny his position. Except the trade to the ceded islands, we would lose none which we now possessed, and that produced scarcely any thing to the revenue, as our own colonies supplied our consumption of tea and sugar, and the produce of the rest was re-exported to foreign countries. He admitted that it was necessary to look with vigilance and caution to our tea trade. But the apprehension of our recurring to the measure adopted in 1784, would discourage smugglers from renewing their plans. Besides, it must require years before they can establish their depots, while in a few days an act might pass to render all their schemes abortive, and to plunge them in irretrievable ruin.

Sir *F. Baring* said, he did not mean that our revenue would fall off, but our trade, and that our trade would, he solemnly pledged himself, without fear of falsification. Already ships were not half the value of which they were

642 WOODFALL'S PARLIAMENTARY REGISTER. [*COMMONS*,
some months ago, and our transit trade was annihilated.
However, he thought the peace would not operate disadvantageously to the general prosperity of the country.

The previous question was then carried; and the Chancellor of the Exchequer's resolutions were put and carried.

The *Chancellor of the Exchequer* moved an address to his Majesty, praying that he would be graciously pleased to confer some dignity in the church upon the Rev. John Barton, for his services as chaplain of the House. Ordered *nem con.* The *Chancellor of the Exchequer* then moved addresses to the King, praying him to order the following sums to be paid:

To Henry Alexander, Esq. chairman of the committee of ways and means, 1200*l.*

To Jeremiah Dyson, Esq. as clerk assistant, as much as will make up his salary to 1500*l.*

To J. H. Lee, Esq. second clerk assistant, as much as his Majesty shall think proper.

To ——— Clemenson, Esq. deputy serjeant at arms, as much as will make his emoluments up to 500*l.*

To Mr. Samuel Dunn, towards the expence of preparing a general index to the journals, from the year 1790, to the period of the union, 300*l.*

To Mr. Bull, for preparing the index of last session, 80*l.*

For preparing and printing the index of the present session, 320*l.*

To the clerks, for attending at the public committees, as much as his Majesty shall think proper.

To William Drummond, Esq. the British plenipotentiary, at the court of his Sicilian Majesty, to defray the expence of copying certain ancient manuscripts, dug up from the ruins of Herculaneum and Pompeiz, 1700*l.*

ANTIENT LITERATURE.

The *Chancellor of the Exchequer*, in moving this resolution, said, he was sure that it would meet with the unanimous concurrence of the House. These valuable manuscripts would have been inevitably destroyed, had it not been for the interference of an illustrious personage, who had ever shewn the utmost devotion to the cause of literature and science. It certainly would be worthy of a great and enlightened nation to second his efforts in such a cause. Great progress had already been made in copying the manuscripts, and the whole particulars would next session be laid before the House.

CIVIL

CIVIL LIST.

The *Chancellor of the Exchequer* afterwards observed that he was sorry there was so thin a House when he was about to give a very important notice. It would be recollected that when the subject of the civil list debt was before the House, he had stated, that he meant to bring forward a measure to prevent its accumulation in future. He was deeply concerned that the multiplicity of public business had prevented him from giving it a sufficient degree of attention to bring it to maturity. However, it had not been abandoned, and would be brought forward early next session: if not by him, he trusted by some other of his Majesty's servants. He considered the House pledged for it as well as Administration.

SURGEONS.

The *Chancellor of the Exchequer* said, a plan had been laid before him, which he regretted it was too late to bring forward this session. It was a lamentable fact, that great calamities happened on board of merchant ships, for want of chirurgical assistance. Many accidents which admitted of immediate relief, were fatal for want of proper persons to administer it. It had been suggested to him, that as the termination of the war would leave a great number of surgeons unemployed, that they might be employed on board merchant ships, particularly those bound on distant voyages, in a manner highly advantageous to the country and to themselves. He was aware nothing could be done at present, but he wished to throw out these observations, in order that so useful a class of men as regular bred surgeons, might know, that the plan he had hinted at would be carried into effect immediately after the meeting of Parliament.

Several accounts being laid upon the table by the Inspector of Customs, the House adjourned till the next day.

HOUSE OF LORDS.

MONDAY, JUNE 23.

At half past two his Majesty arrived at the House of Lords in his usual state, and as soon as he was robed, and put on his Crown, ascended the Throne, the Earl of Roslyn holding the Sword of State on his left hand, and the Earl of Morton, the Cap of Maintenance on his right, with the Dukes of York, Clarence, and Cumberland in their respective Chairs.

Sir Francis Molyneux (Usher of the Black Rod) was sent to the Commons to summon them to attend his Majesty, and they presently came to the bar, with the Speaker at their head, who addressed his Majesty in the following terms:

" Most Gracious Sovereign,

" It is my duty to present to your Majesty, the bills for completing the supplies which your Majesty's faithful Commons have granted for the service of the year."

" With heartfelt gratitude they acknowledge your Majesty's paternal goodness and wisdom, which have already enabled them to make a large reduction of the public burthens, by the termination of a long and eventful war;—a war just and necessary in its origin, conducted with energy, sustained with fortitude, signalized by triumphs surpassing the fame of our ancestors, and obtained in countries unvisited by their arms—and concluded at length by a peace, which has added new conquests to your Crown, and given repose and safety to these its ancient dominions, whose Peers and Commons have now, for the second year, the happiness to be assembled in one United Parliament at the foot of your Throne

" Thus circumstanced, your Majesty's faithful Commons not only look forward with a sanguine hope that they may not soon be called to the hard necessity of augmenting the public debt by future burthens, but they have also deemed it their duty to look back to the public debt already incurred; and with the same characteristic spirit which first laid the foundation of an effectual system for the extinction of the national debt, they have proceeded to arrange and settle a plan for accelerating that extinction, by pledging the future application of their growing means to the accomplishment of the same great object.

" At a time when they ventured upon these considerations, and when they have found that taxes of unprecedented weight, though wisely imposed to meet the exigencies of such a war, might, nevertheless, be now prudently repealed; it has also given your faithful Commons the highest satisfaction to relieve the pressing demands which the general difficulties of the times had cast upon the provision assigned by Parliament for the support of your Majesty's Household, and of the honour and dignity of your Crown. For this country has not now to learn that its Monarchy is the best and strongest security for its liberties, and that the splendour
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of the Throne confers lustre and dignity upon the whole nation.

" These, Sir, are amongst the memorable events of a session thus far protracted, upon which we reflect with the conscious satisfaction, that to the discharge of great duties; we have brought proportionate exertions. And we now indulge the flattering hope that we may safely apply ourselves to cultivate the arts of peace—arts long dear to your Majesty, and congenial to the temper of your people, whose spirit of enterprize, in foreign commerce, and in general improvement, unexampled in its exertions throughout the war, may now expand itself with redoubled activity; and by providing new sources of strength and wealth for this country, fix the stability of our own power, and at the same time promote the common interests of Europe, and of all the civilized nations of the world.

" The bills which I have to present are,

" An act for granting to his Majesty certain sums of money out of the respective consolidated funds of Great Britain and Ireland, for applying certain monies therein mentioned; for the service of the year 1802, and for farther appropriating the supplies granted in this session of Parliament.

" The bill for the prevention of illegal lotteries."

These with two others received his Majesty's Royal Assent.

As soon as the Speaker had delivered the bills to Mr. Cowper, and the bills had received the royal assent, his Majesty was pleased to make the following most gracious speech from the throne:

" *My Lords and Gentlemen,*

" The public business being concluded, I think it proper to close this session of Parliament.

" During a long and laborious attendance, you have invariably manifested the just sense you entertain of the great trust committed to your charge. The objects of your deliberations have been ununsally numerous and important, and I derive the utmost satisfaction from the conviction that the wisdom of your proceedings will be fully proved by their effects, in promoting the best interests of my people throughout every part of my dominions.

" *Gentlemen of the House of Commons,*

" The ample provision you have made for the various branches of the public service, demands my warmest acknowledgments; and my particular thanks are due for the liberality,

ality which you have shewn in exonerating my civil government and household from the debts with which they were unavoidably burthened.

“ Whilst I regret the amount of the supplies which circumstances have rendered necessary, it is a relief to me to contemplate the state of our manufactures, commerce, and revenue, which afford the most decisive and gratifying proofs of the abundance of our internal resources, and of the growing prosperity of the country.

“ *My Lords and Gentlemen,*

“ As I think it expedient that the election of a new Parliament should take place without delay, it is my intention forthwith to give directions for dissolving the present, and for calling a new Parliament.

“ In communicating to you this intention, I cannot suppress those sentiments of entire approbation, with which I reflect upon every part of your conduct, since I first met you in this place. The unexampled difficulties of our situation required the utmost efforts of that wisdom and fortitude which you so eminently displayed in contending with them, and by which they have been so happily surmounted. From your judicious and salutary measures during the last year, my people derived all the relief which could be afforded under one of the severest dispensations of Providence. And it was by the spirit and determination which uniformly animated your councils, aided by the unprecedented exertions of my fleets and armies, and the zealous and cordial co-operation of my people, that I was enabled to prosecute with success, and terminate with honour, the long and arduous contest in which we have been engaged.

“ The same sense of public duty, the same solicitude for the welfare of your country, will now, in your individual characters, induce you to encourage, by all the means in your power, the cultivation and improvement of the advantages of peace.

“ My endeavours will never be wanting to preserve the blessings by which we are so eminently distinguished, and to prove that the prosperity and happiness of all classes of my faithful subjects, are the objects which are always the nearest to my heart.”

Then the Lord Chancellor, by his Majesty's command, said:

“ *My*

“ *My Lords and Gentlemen,*

“ It is his Majesty's royal will and pleasure that this Parliament be prorogued to Tuesday, the 17th day of August next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday, the 17th day of August next.

HOUSE OF COMMONS.

MONDAY, JUNE 28.

Mr. Irwine presented an account of the arrears in the hands of the Revenue Officers of the Land Revenue of the county of Monmouth, up to the 5th January 1802. Ordered to lie on the table.

At three o'clock, Sir F. Molyneux, in the name of his Majesty, ordered the House to attend his Majesty in the House of Peers—to which the Speaker, attended by a number of Members, immediately proceeded. On his return he laid upon the table the gracious speech with which his Majesty closed the session; after which the Members withdrew.

The insertion of the following Speeches being accidentally omitted in Pages 353 and 354 of the preceding Volume, they are now, in justice to the Noble and Honourable Speakers, given in substance as delivered.

The following is the substance of Mr. Robson's speech, in the House of Commons, on Friday, the 9th of April, 1802, in a Committee of Supply, on the Resolution being put, that a sum be granted for the paving, watching, cleansing, and lighting the City of Dublin.

“ Sir, I object to this grant, because I do not conceive that the people of England have any thing to do with that which I consider the mere parochial expences of the city of Dublin. As well, Sir, might the people of Ireland be called upon to pay their quota of 2-17ths towards the paving, cleansing, lighting, or other parochial expences of the city of London or Westminster; and if we but once admit the principle, every board of commissioners in either kingdom, acting under a bill of Parliament for the paving, watching, and cleansing, &c. any city or town, will claim equal right to grants of public money, to make out the deficiency of
their

their funds, or make good the excesses of their extravagance. In order, therefore, Sir, to set at rest all such claims as the present one, I oppose the resolution, conceiving that by the seventh article of the union it was agreed between the two Parliaments, that a stated and limited sum of money should be secured to Ireland out of the consolidated fund of both kingdoms for local purposes, which appears more fully by the union act. as the purposes are therein clearly specified to be the promotion of agriculture and the support of charitable and pious purposes, which had usually met the support of the Irish Parliament. But those local purposes are so unequivocally expressed by the article I have alluded to, that no doubt can exist, much less a supposition, that the promotion of pious and charitable purposes can mean the support of this economical paving board. But, Sir, admit Ireland had a right to claim grants of money for local purposes, it does not follow that this is the sort of purpose which can justify Parliament in voting away so large a sum of public money. Besides, Sir, if it even was the sort of purpose that could justify a grant of public money, there can be little doubt that Dublin could be lighted, cleansed, and paved much better than it now is, from the funds already assessed upon its inhabitants, without coming to Parliament for aid; for, Sir, I am well informed that the very high rates now paid by the inhabitants of that city are equal to every purpose, except, indeed, that of supporting a board of commissioners and unnecessary officers. I beg, Sir, to be understood as not wishing to cast any reflections, personally or individually, on any of the commissioners of pavement; individually I wish to pay them all due respect; but, speaking of them as a *body*, I must call them a very expensive one, and not entitled to salaries for doing mere parochial business, of which every respectable parishioner is bound to take his occasional share for the common good. In England, Sir, we have no instance of such commissioners being paid out of the public purse; and, in my opinion, the Dublin act ought to be altered, so as to give the parishioners a power of controul over those men who are to direct the expediture of so large a sum of money as that collected from the inhabitants of Dublin for what must be considered as parochial purposes. In every town in England, whether the business of cleansing, paving, and lighting be under an act of Parliament or not, the inhabitants have such powers, and that it should be so is perfectly right; for, then, it becomes every man's interest to watch and see that every

guinea

guinea exacted from him shall be laid out with economy, as well as good effect. How it is, Sir; that the rates charged upon the inhabitants of Dublin, under the paving act, are not adequate to the expenditure, I am totally at a loss to account. The inhabitants of Dublin are assessed so high as eighteen-pence in the pound; and if credit is to be given to the intimation of many of its most respectable inhabitants, the paving, cleansing, and lighting of the public streets; with few exceptions, are most grossly neglected. While the parish in which, I live, that of St. Mary-la-Bonne, by much the most extensive in the metropolis, I am told nearly half the size of Dublin, remarkable for being the best paved, best cleansed, and best lighted in the British dominions; yet the assessment does not exceed fourteen-pence in the pound; instead of eighteen-pence, as charged in Dublin for the same purposes, and out of this a very large sum is annually paid as interest for the original loan. And though, Sir, we have no board of commissioners, with their suite of secretaries, sub-secretary, and supervisors, we have no complaints against those parish-officers who conduct the business, for neglect of duty. But what, Sir, has been very recently the case in Dublin? The Grand Jury of that city, at their last January sessions, presented, as a vile nuisance, the miserable and filthy state of the streets, pavements, and lights; and what was, as I am told, the kind of plea urged by the paving board in their defence? Why, Sir, that they were a body constituted by, and acting under an act of Parliament, and therefore not responsible to common law. The only remedy left for the grand jury was simply the recording of their presentment upon the town-clerk's books. So much for the good management of these commissioners. The parish, Sir, I have before mentioned, is governed not by salaried commissioners, but by a select vestry, originally chosen by the parishioners, all of whom must reside and pay rates in the parish: the whole business is done under their direction to the approbation of every body; and though there is a large sum annually paid for interest upon a paving debt, which in proportion is at least as large as that of Dublin. Though the materials and labour of paving are much dearer than they can possibly be in Dublin, yet the whole is effected for a rate of only fourteen-pence in the pound. What reasonable cause then can exist why a similar rate is not fully adequate to the paving and lighting business of Dublin? But still more, Sir, what shadow of reason or justice can there exist, after exacting a rate of eighteen-

pence in the pound (nearly one-third more than Mary-la-Bonne), in coming to Parliament for an additional grant of so many thousand pounds? Surely, Sir, I am warranted in concluding there must be mismanagement, an extravagance somewhere. Perhaps, Sir, the error lies in the board of commissioners, as is too much the case in all boards where it is not the individual interest of the parties who compose them to keep down expenditure. Why not suffer the parishioners of Dublin, who pay such heavy rates for this purpose, to arrange their own affairs, or empower them to have some voice in the selection or regulation of those persons who are to lay out their money, and whose extravagance forces them to apply to this House for a grant of money? The whole establishment of commissioners, clerks, and other officers, for managing the paving, lighting, and cleansing Mary-la-Bonne, scarcely exceeds 400*l.* and the reason is, none are paid but what work. The parishioners, whether gentlemen or tradesmen, do their parts in directing for the general good without fee or reward.

“ But what is the case in Dublin? very little more, as I understand, than twice the extent of Mary-la-Bonne. A board of commissioners, whose establishment cost 7000*l.* a year, with a detail of officers, 56 in number; six commissioners at 312*l.* a year each; a secretary, with 400*l.* a year, and a house to live in, coals and candles, at 150*l.* a year; then this secretary has a deputy secretary, at 150*l.* a year, and under him again are six clerks, at 60*l.* or 70*l.* a year each. Then there is a director in chief, who takes no salary—he only condescends to accept a large house, rent free, with coach-house and stables, soap, coals, candles, *perfumed* wash-balls, &c. &c. which costs on an average, about 400*l.* a year. The first commissioner, besides his salary, has an allowance of 200*l.* a year, for a house, coals, and candles, &c.—Then comes another economical item of 400*l.* a year, for stationary, including visiting and complimentary cards, gilt paper, and *camphorated* wax. Then comes salary to two inspectors general of nuisances, of 100*l.* each; two scavengers general, 100*l.* a year each; and two deputies to each, 50*l.* a year each. Next come two inspectors general of globes, 150*l.* a year each, and six deputies under these, at 70*l.* a year each. Thus, Sir, is the enormous sum of 720*l.* nearly double the sum paid to all the establishment of Mary-la-Bonne, paid in Dublin to the inspectors of globes only. Sir, it would appear as if lamp-lighting was a science in Dublin. But I have

have not done yet—Next, after all the detail of supervisors, inspectors, secretary, their deputy, and sub-deputy, comes an overseer of works, of 70*l.* a year; a store-keeper of paving-stones and sand, 80*l.* a year; a gate-keeper to the store-keeper, 40*l.* a year. Then come six supervisors of paving, at 70*l.* a year each, with half a dozen deputies under them, at 50*l.* a year each; two messengers, at 40*l.* a year each; and two overseers of roads, at 40*l.* a year each. Then comes a charge of 200*l.* a year for a treasurer, and 250*l.* for counsel's fees, and law agent. And would you believe it, Sir, after all this establishment, comes an annual charge of 500*l.* for collecting the rates? and, I am further told, there is a further charge for watering the road to the commissioners' country-house. Sir, I am sure, after what I have said, the items cannot fail to make an impression on the committee. I speak not with a view, Sir, to prevent any grant that the people of Ireland may claim, either under the articles of union, or in appeal to the liberality of the House, for local, useful, and necessary purposes, either now or at any future time; on the contrary, I wish to be liberal towards Ireland. My objection is to unnecessary extravagance wherever it appears. I am as anxious to save the people of Ireland the 2-17*ths*, as I am the people of England, who are to pay 15-17*ths* of this charge. I trust, Sir, his Majesty's Ministers will destroy this extravagant establishment, or at least reform it; and if, upon the principle of place for life let a line be drawn, and as each director, commissioner, globe inspector, &c. die off, let also their places die with them, and the country be relieved from this job. Sir, I have been but too well informed, that bad as this system is, there are others in the sister kingdom, if possible worse. One of these is the barrack-board, on which I shall say nothing more at present, it is not before the House; but I do most earnestly conjure this House, and more particularly his Majesty's Ministers, to pay more attention to the expenditure of the public money in every department, and, as far as possible, economize before it is too late. Sir, Gentlemen may consider me, as I believe they do, intruding respecting the affairs of Ireland; but, Sir, sitting here, as I do, a Member of the United Parliament, it is my duty to attend to the interest of the people of Ireland as much as the people of England."

Lord De Lilaquiere rose in reply to Mr Robson, and began as follows:—"How the honourable Member can hold out, I wonder.—It is painful at this time of night to trespass on

the House, but the honourable Gentleman has made it indispensable. Indeed it makes no difference, for the honourable Member seems to have devoted so many hours every day to what he, in error, calls the service of his country, that it matters little for either now or at another time you must hear him; but I confess it bears too hard upon some of us individuals. Here am I Sir, day by day, brought down to the stake, doomed to hear the melancholy monotony of the honourable Member, animadverting upon the misgovernment of the country, on any subject, in any case, whether it be on the unfortunate corporation which he has now thought fit to make the butt of his bile, or that more tremendous subject, the general bankruptcy of the state, on account of the non-payment of the bill of 1711. It is all alike to the honourable Member; his great object seems to be, to speak upon any subject which he does not understand; and in this instance, he has done it in a manner very unbecoming, and with a coarseness of language which is not to be endured. To resist these slanders, and to meet these bold assertions in the face, I now offer myself to the Committee, and unless my faculties should fail me indeed, I think I will, to the satisfaction of the Committee, expose the conduct of the honourable Member, rebut his calumnies, and prove that the honourable Member has advanced nothing but rash and unfounded assertions; and between assertion and fact, the honourable Member has given us such repeated occasions to distinguish the difference, the Committee can be at no loss to determine. The honourable Member, by his statement, has laboured to puzzle the case, and put it entirely on a footing with his own understanding, and beyond the understanding of any body else. This will give the Committee some trouble, as they must allow me to state the facts as they are.—Here Lord De Blaquiere went into the history of the original establishment and duties of the present corporation: that, in about the year 1782, the streets of Dublin being impassable and dangerous, and the business brought before Parliament, he was, with one voice, called upon to undertake the ungracious office; that a bill soon after passed, vesting in the present corporation their present powers, appointing six directors, without salaries or emoluments, to govern, and six commissioners to do the daily drudgery, with allowances of ten shillings a day for their attendance. All that was left of the old, was thrown into these new hands, and they set to work, charged with a debt of about fifty-

thousand

thousand pounds, incurred by the old corporation. There were four hundred and eighty lamps only in the city when the new corporation commenced; within three months seven thousand were lighted; a bridge over the river Liffey, of one arch, was constructed by them, the most splendid piece of architecture, perhaps, in the world; forty-seven fountains were erected, and are, at this moment, flowing with water for the use of the poor; all mostly done by the savings and income which the corporation made out of the fines collected for nuisances, which, of course, diminished as the powers of the corporation were felt; that it sits as a court of judicature every day, and every body, he believed, would admit that summary justice, at least, had been invariably and uniformly administered.

The establishment, says the honourable Member, is a very expensive one; it might be done for less. That is no question before the Committee at this moment: reduce it when you please, restore the business into the hands in which it was placed before, and see if a debt of fifty thousand pounds, incurred in six or seven years, makes a saving to the public. This very morning, said Lord De Blaquiere, I have been asked by a worthy friend of mine, now sitting in the House, whether my salary as sole director, was eight hundred or one thousand pounds a year. Men have often asked me why I should take all this trouble for nothing? The answer was simple: I hold under the Crown, by its goodness, great offices without duty and without responsibility, but with large emoluments; it was a poor, but, I thought, a fair return to the state, to take a great and responsible office, without any salary or emolument of any kind, save the walls of an unfurnished house, not yielding even soap, coals, or candles, and I thought it, for as far as it went, not an unhand-some set off. The honourable Member, in the coarseness of his language, has said, that the ten thousand pounds proposed to be given to this board out of the consolidated fund, of which England pays 15-17ths, is a robbery upon the people of this country, who ought not to be charged with the paving and lighting the city of Dublin; a more liberal construction of the act of union I did expect to hear in this House, and I am disposed to think the honourable Member is the only man in it, who views this great measure in so mean and limited a point of view. It was but two days since we passed a vote for the payment, out of the same fund, of a sum no less than one million six hundred thousand pounds, for bounties on
corn

corn imported, not one grain into Ireland, all into Great Britain; where was the man who, on the part of Ireland, rose to make any objection?—None; on the contrary, they felt a pride in being called upon for their mite, their contribution to the exigencies of the poor. But the honourable Member is altogether ignorant of the fact, and speaks with so much confidence upon the subject, that I should be fearful of giving a personal offence, were I to attempt to remove the impression which false informations have made upon his mind, (upon which information I shall remark presently) and therefore it is not to the honourable Member but to the Committee I address it. The ten thousand pounds a year is given to the paving board in lieu of the coach tax, which we relinquished. It will be found so on the Journals of the Irish Parliament, which now make a part of the archives of this House. Give us our coach tax again; let the honourable Member join me in supplicating that bench to do it—he who must be conscious how much he has, this session, contributed to the dispatch of public business; they cannot refuse him, and we ask no more. But the fact, Sir, is, that that same coach tax which we gave up, and for which we are paid ten thousand pounds, produced, in the last year, forty-three thousand six hundred and fifty pounds, so that the consolidated fund, of which England has the 15-17ths, gains, by the bargain, an advantage of about twenty-seven thousand pounds per annum. These, and other facts, ought to bring a sense of shame upon the face of a man, who, without information, without the most distant ground of warrant or authority, has, in his rashness, ventured to stigmatise, in coarse and unqualified language, the conduct of a set of gentlemen, in point of character something beyond the reach of his tongue. It is in common justice to those who are absent that I have thus trespassed on the patience of the House, for had it been my own concern alone, I should have treated the honourable Member's observations with the respect they deserved—I should not have troubled the House to hear a single word upon the subject. But, Sir, the honourable Gentleman ought to know that his slander will travel something faster than his fame, and that what we may be disposed to call a libel, or treat as an absurdity in this House, may be received as gospel at any distance from hence, where the value of the talents and political character of the honourable Member have not been so exactly ascertained as in this place. In point of information, the honourable Member, I shall

shall admit, has been cruelly used: his correspondent is a friend of mine; he hired himself with us as an architect, or builder; we found him a bad bricklayer, and so ill conducted, that he was turned out of his employ. He has published a pamphlet, the very prototype, nay, almost the very words, of the honourable Member's speech: an action has been ordered against him for the libel; and it is very possible that, for the very words now uttered by the honourable Member, his friend may be, at this moment, standing in the pillory in Dublin. It is fortunate for the honourable Gentleman that there is this latitude of speech in the House of Parliament, and it is a blessing to me to live in a country where, out of this House, no sippant tongue dare wag with impunity, and whether the calumny shall arise out of a man's ignorance or his malignity, the lash of the law will fall equally heavy on his back; but I beg it to be understood that, upon the score of malignity, I lay nothing to the charge of the honourable Member.

By the KING.—A PROCLAMATION,

For dissolving the present Parliament, and declaring the calling of another.

GEORGE REX.

Whereas we have thought fit, by and with the advice of our Privy Council, to dissolve this present Parliament, which now stands prorogued to Tuesday the 17th day of August next: we do, for that end, publish this our Royal Proclamation; and do hereby dissolve the said Parliament accordingly. And the Lords spiritual and temporal, and the knights, citizens, and burgeses, and the commissioners for shires and burghs, of the House of Commons, are discharged from their meeting and attendance on Tuesday the said 17th day of August next. And we being desirous and resolved, as soon as may be, to meet our people, and to have their advice in Parliament, do hereby make known to all our loving subjects our royal will and pleasure to call a new Parliament; and do hereby further declare, that, with the advice of our Privy Council, we have given orders that our Chancellor of that part of our united kingdom called Great Britain, and our
Chancellor

Chancellor of Ireland do, respectively, upon notice thereof, forthwith issue out writs in due form, and according to law, for calling a new Parliament: And we do hereby also, by this our Royal Proclamation under our great seal of our united kingdom, require writs forthwith to be issued accordingly by our said Chancellors respectively, for causing the Lords spiritual and temporal, and Commons, who are to serve in our said Parliament, to be duly returned to and give their attendance in our said Parliament; which writs are to be returnable on Tuesday the 31st day of August next.

Given at our Court at Windsor, on the 29th day of June, 1802, in the forty-second year of our reign.

GOD SAVE THE KING.

By the KING.—A PROCLAMATION,

In order to the electing and summoning the Sixteen Peers of Scotland.

GEORGE REX.

Whereas we have, in our Council, thought fit to declare our pleasure for summoning and holding a Parliament of our united kingdom of Great Britain and Ireland on Tuesday the 31st day of August next ensuing the date hereof: In order, therefore to the electing and summoning the Sixteen Peers of Scotland, who are to sit in the House of Peers in the said Parliament, we do, by the advice of our Privy Council, issue forth this our Royal Proclamation, strictly charging and commanding all the Peers of Scotland to assemble and meet at Holy-Rood House in Edinburgh, on Tuesday the 10th day of August next ensuing, between the hours of twelve and two in the afternoon, to nominate and choose the Sixteen Peers, to sit and vote in the House of Peers in the said ensuing Parliament, by open election and plurality of voices of the Peers that shall be then present, and of the proxies of such as shall be absent (such proxies being Peers, and producing a mandate in writing duly signed before witnesses, and both the constituent and proxy being qualified according to law.) And the Lord Clerk Register, or such two of the principal clerks of the session, as shall be appointed by him to officiate in his name, are hereby respectively required to attend such meeting, and to administer the oaths required by law to be taken there by the said Peers, and to take their votes; and, immediately

immediately after such election made and duly examined, to certify the names of the Sixteen Peers so elected, and sign and attest the same, in the presence of the said Peers the electors; and return such certificate into our High Court of Chancery of Great Britain. And we do, by this our Proclamation, strictly command and require the Provost of Edinburgh, and all other the Magistrates of the said city, to take especial care to preserve the peace thereof during the time of the said election; and to prevent all manner of riots, tumults, disorders, and violence whatsoever. And we strictly charge and command, that this our Royal Proclamation be duly published at the Market Cross at Edinburgh, and in all the county-towns of Scotland, twenty-five days at least before the time hereby appointed for the meeting of the said Peers to proceed to such election.

BOOKSELLERS' AND PRINTERS' RELIEF BILL.

*This Bill passed the Lords, on Thursday, 25th June, 1802,
without any Alteration.*

A BILL for repealing certain Duties on Paper, Pasteboards, Millboards, Scaleboards, and glazed Paper imported into, or made in GREAT BRITAIN, and for granting other Duties in lieu thereof.

WHEREAS certain duties of customs and excise are now payable for and in respect of paper, pasteboard, millboard, scaleboard, glazed paper, and books, maps, and prints imported into Great Britain, and for and in respect of paper, pasteboard, millboard, scaleboard, and glazed paper made in Great Britain, and certain drawbacks or allowances are now payable out of the said duties : And whereas it is expedient to repeal the said duties, drawbacks, and allowances, and to grant other duties and other drawbacks and allowances in lieu thereof ; be it therefore enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons in this present Parliament assembled, and by the authority of the same, That from and after the fifth day of July 1802, all and singular the said duties, drawbacks, and allowances, save and except the duties now payable on printed, painted, or stained paper, to serve for hangings or other uses ; and also save and except the duties of customs on books, maps, and prints imported into Great Britain, shall cease and determine and be no longer paid or payable, save and except in all cases relating to the recovering, allowing, or paying any arrears thereof respectively, which may at any time remain unpaid, or to any fine, penalty, or forfeiture relating thereto respectively, which shall have been incurred at any time before the said fifth day of July.

II. *In lieu of Duties repealed, new Duties to be levied.*]—And be it further enacted, That from and after the said fifth day of July, in lieu and instead of the said respective duties of customs and excise hereby repealed, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, the several duties of customs and excise hereinafter respectively mentioned ; (that is to say,) for every pound weight avoirdupoise

poise of paper of the first class or denomination (not being paper of the manufacture of and imported from Ireland, which shall be imported into Great Britain, a custom duty of one shilling and a halfpenny.

For every pound weight avoirdupoise of paper of the second class or denomination (not being paper of the manufacture of and imported from Ireland) which shall be imported into Great Britain, a custom duty of sixpence farthing.

For every one hundred weight of pasteboard, millboard, and scaleboard, and of glazed paper for clothiers and hot-pressers (not being of the manufacture and imported from Ireland) which shall be imported into Great Britain, a custom duty of two pounds two shillings, and so in proportion for any greater or less quantity.

For every pound weight avoirdupoise of paper of the first class or denomination, which shall be made in Great Britain, or which shall be made in Ireland and imported directly from thence into Great Britain, an excise duty of threepence.

For every pound weight avoirdupoise of paper of the second class or denomination which shall be made in Great Britain, or which shall be made in Ireland and imported directly from thence into Great Britain, an excise duty of one penny halfpenny.

For every one hundred weight of pasteboard which shall be made in Ireland and imported directly from thence into Great Britain, an excise duty of one pound one shilling, and so in proportion for any greater or less quantity.

For every one hundred weight of glazed paper for clothiers and hot-pressers, and of millboard and scaleboard which shall be made in Great Britain, or which shall be made in Ireland and imported directly from thence into Great Britain, an excise duty of one pound one shilling, and so in proportion for any greater or less quantity.

For every pound weight avoirdupoise of books, whether bound or unbound, and of maps or prints which shall be imported into Great Britain from Ireland, an excise duty of threepence.

Which said several duties upon paper, pasteboard, millboard, scaleboard, glazed paper, books, maps and prints, shall be paid by the importer or makers thereof respectively.

III. Not to extend to sheathing Paper, or Button Paper, or Button Board or bound Books, imported from Ireland by Officers of State, and Members of Parliament, &c. for Use only and not for Sale.—Provided always, and be it further enacted, That nothing in this act contained shall extend or be construed to extend to charge with the duty by this act granted, any

paper commonly called and known by the names of sheathing paper or bottom paper, or batten board made in Great Britain, or made in Ireland and imported directly from thence into Great Britain, nor to any bound books which shall be the sole and entire property of any officer of State in Ireland, or any Member of either of the Houses of Parliament, which shall be imported into Great Britain from Ireland, for the sole and entire use of such officer of State, or Member of either House of Parliament respectively, and not as Merchandize or for sale, any thing herein contained to the contrary in anywise notwithstanding.

IV. *Drawbacks to be allowed and paid according to former Regulations.*—And be it further enacted, That from and after the said fifth day of July, the several and respective Drawbacks hereinafter mentioned, shall be made, allowed, and paid upon the terms and conditions, and under and subject and according to the rules, regulations, provisions, restrictions, clauses, penalties, and forfeitures contained in any act or acts of Parliament, law or laws now in force in relation to the duties on paper, (that is to say),

For every pound weight avoirdupois of paper of the first class or denomination made in Great Britain, or made in Ireland, and imported directly from thence into Great Britain, and which shall be exported from Great Britain as merchandize to parts beyond the seas, a drawback of threepence.

For every pound weight of paper of the second class or denomination made in Great Britain, or made in Ireland and imported directly from thence into Great Britain, and which shall be exported from Great Britain as merchandize to parts beyond the seas, a drawback of one penny half-penny.

For every one hundred weight of pasteboard, millboard, and scaleboard, and of glazed paper for clothiers and hot-pressers made in Great Britain, or made in Ireland and imported directly from thence into Great Britain as merchandize, to parts beyond the seas, a drawback of one pound one shilling, and so in proportion for any greater or less quantity.

For every pound weight avoirdupois of books in perfect and complete sets, or if periodical publications in perfect parts or numbers, and of blank, plain, or ruled account books, whether bound or unbound, which shall be made of, or printed or ruled on paper of the first class or denomination, and for which no drawback or allowance whatever shall have been paid, received, and obtained, and which shall be exported from Great Britain as merchandize, to parts beyond the seas, a drawback of threepence.

For every pound weight avoirdupois of paper of the first class or denomination which shall be used in the printing any books in Latin, Greek, Oriental,

Oriental, or northern languages, or in the printing bibles, testaments, psalm books, books of common prayer, and confession of faith, and the larger and shorter catechism, or any of them, within the two Universities of Oxford and Cambridge, or either of them, by permission of the Vice Chancellor of the same respectively, or which shall be used in the printing any books in Latin, Greek, Oriental, or northern languages, within the Universities of Scotland, or any of them, by permission of the principals of the same respectively, or which shall be used by the King's printers in England and Scotland respectively, in the printing of bibles, testaments, psalm books, books of common prayer of the Church of England, the book commonly called or known in Scotland by the name of the Confession of Faith, or the larger or shorter catechism of the Church of Scotland, a drawback of threepence.

And whereas by the repeal of the duties on paper and the drawbacks by this act granted on the exportation thereof, the drawbacks might in some cases exceed and in others fall short of the duties actually paid; for remedy whereof, be it enacted, that for and during the space of three months from and after the said 5th day of July, the drawback on paper exported as merchandise shall, in every instance, be the same as the duty which, under the rules and regulations established for or in respect of the exportation of paper, shall be proved to have been really and *bona fide* paid, and no other, any thing in this or any other act or acts of Parliament to the contrary in any wise notwithstanding.

V. *Drawback allowed to clothiers, hot-pressers, and other persons in the woollen manufactory, for glazed paper used by them.*—And whereas it is expedient to grant a drawback or allowance to clothiers, hot-pressers, and other persons concerned in the woollen manufactures, for or in respect of paper commonly called or known by the names of glazed paper, and press paper, used or employed in pressing woollen cloths or stuffs, be it therefore enacted, that from and after the said fifth day of July 1802, a drawback or allowance of the whole duty charged, or chargeable, on such glazed papers, and press papers, as shall be actually and *bona fide* used, employed, and consumed in the pressing of woollen cloths or stuffs, shall be made and paid on the terms and conditions hereinafter mentioned, that is to say, that every person who shall intend to apply for, or claim any such drawback or allowance for glazed paper, or press paper, shall, before he, she, or they shall begin to make use of any glazed paper, or press paper, produce the same in the original cover or wrapper in which such glazed paper, and press paper, respectively was charged with duty, to the proper officer of excise, and shall

shall give to such officer a notice, in writing, specifying the day and hour on which he, she, or they intends or intend to produce such glazed paper, or press paper, and also the quantity for such glazed paper so intended to be produced, and the name and residence of the maker or other person from whom the same was received, and the particular time when received; and such person shall untie and open all such glazed paper, and press paper, in the presence of such officer, who shall examine and take account thereof and shall destroy the duty stamp on the covers or wrappers of the same. And upon application to the proper collector of excise, as soon as any such glazed paper, or press paper, shall have been so long or so much used as to be incapable of being again used or employed for any purpose whatever (such application not being made oftener than twice in each year), stating, in writing, the actual quantity of such glazed paper, and press paper, so used as aforesaid, and making oath before such collectors of excise (which oath every collector of excise is hereby authorized and empowered to administer, of the real quantity of such glazed paper, or press paper, so used or employed as aforesaid, that the same has been actually and *bona fide* used or employed in the pressing of woollen cloths or stuffs by him, her, or them, who shall apply for, or claim any such drawback or allowance, and for no other purpose whatsoever, and that all such glazed paper, or press paper, and every part thereof, is by such use rendered or become unfit for any other purpose whatsoever, and that no drawback or allowance has been before had or received for such glazed paper, or press paper, or any part thereof; then, and in such case, such collector of excise shall pay or allow to the person or persons entitled to receive the same, a drawback of the duties which shall have been charged or paid for such glazed paper, or press paper, without any fee, reward, or deduction whatever.

VI. *Additional discount of 4l. 10s. on Newspapers, granted by 41 Geo. 3. c. 10. reduced to 18s per centum.*—And be it further enacted, that from and after the said fifth day of July 1802, in lieu and instead of the allowance by way of discount of four pounds ten shillings per centum on the sums payable for duties imposed on newspapers, granted by an act of the forty-first year of the reign of his present Majesty, entitled An act (c. 10.) an allowance, by way of discount, of eighteen shillings only for every one hundred pounds, in addition to the sixteen pounds per centum in the said last recited act mentioned, shall be allowed on the sums payable for such duties on newspapers; in like manner, and under the like conditions, as are in the said recited act, and an act made in the thirty-seventh year of the reign of

of his present Majesty, any thing in any act or acts of Parliament to the contrary notwithstanding.

VII. *Duties of Customs and Excise to be under the management of the respective Commissioners of Customs and Excise in England and Scotland respectively.*]—And be it further enacted, that such of the said duties of customs, by this act granted, as shall arise or become due in that part of Great Britain called England, shall be under the management of the commissioners of customs, in England, for the time being; and such thereof as shall arise or become due in that part of Great Britain called Scotland, shall be under the management of the commissioners of customs, in Scotland, for the time being; and that such of the duties of excise, by this act granted, as shall arise or become due in that part of Great Britain called England, shall be under the management of the commissioners of excise, in England, for the time being; and such of the said duties of excise as shall arise or become due in that part of Great Britain called Scotland, shall be under the management of the commissioners of excise, in Scotland, for the time being.

VIII. *Brown Paper made of old Ropes, without separating Pitch, deemed Paper of second Class; all other Paper, except glazed for Clothiers, &c. to be deemed Paper of first Class.*]—And be it further enacted, that all brown paper made of old ropes or cordage only, without separating or extracting the pitch or tar therefrom, and without any mixture of other materials therewith, shall be deemed and taken to be paper of the second class or denomination, and shall be chargeable and charged with duty accordingly; and that all other paper whatever, glazed paper for clothiers and hot-pressers excepted, shall be deemed and taken to be paper of the first class or denomination, and shall be chargeable and charged with the duty by this act imposed on paper of the first class or denomination, any thing in this or any other act or acts of Parliament to the contrary in any wise notwithstanding.

IX. *No Pasteboard to be made except of Paper that has paid Excise duties, on pain of forfeiture and of 100l. and may be seized by any Officers.*]—And be it further enacted, that from and after the said fifth day of July 1802, no pasteboard shall be made in Great Britain of or from any material or materials whatever, save and except paper which shall have been charged with the full duties of excise payable thereon, and which shall not have been written or printed on, or previously used for any purpose whatever, on pain
of

of forfeiting all the pasteboard which shall be so made of or from any other material or materials than aforesaid, and also of all the implements and utensils, and materials and preparations, employed or used in making such pasteboard; and also the sum of one hundred pounds, and all such pasteboard, implements and utensils, and materials and preparations, shall and may be seized by any officer or officers of excise.

X. Pasteboard Makers to produce to Officers of Excise the Paper intended to be made into Pasteboard, and to give notice for that purpose, on forfeiture for neglect of 100l.]—And be it further enacted, that before any maker or makers of pasteboard shall begin to make any paper into pasteboard, he, she, or they shall produce to the proper officer or officers of excise all such paper as shall by him, her, or them be intended to be made into pasteboard, in the original covers or wrappers in which the same was charged, and having the excise duty stamp fair and legible on each ream thereof, and shall take the said covers or wrappers from the said paper in the presence of such officer, who shall thereupon take account of such paper, and of the quantity and weight thereof, and shall destroy the duty stamp on each and every of the said covers or wrappers. And to the intent that such officer may be enabled to attend and examine, and take account of such paper, every and all such maker or makers of pasteboard shall give to the proper officer of excise twenty-four hours notice, in writing, of his intention to produce such paper; and shall specify in such notice the true quantity of paper intended to be produced, and the day and hour when he intends so to produce the same. And if any such maker or makers of pasteboard shall neglect or refuse to give such notice as aforesaid, or shall use or employ any paper in the making of pasteboard before the same shall have been produced to, and taken account of, by such proper officer or officers as aforesaid, every such maker of pasteboard shall for each and every such offence forfeit the sum of one hundred pounds.

XI. No Maker of Pasteboard to carry on the business of a Maker of Paper, or within one quarter of a Mile of any Paper-Mill or Manufactory.]—*Pasteboard, made wholly of Paper that has paid Duty, not to pay any further Duty.]*—And be it further enacted, that from and after the said fifth day of July 1802, no maker or makers of pasteboard shall carry on the trade, or business of a maker of paper, nor shall any maker or makers of pasteboard be allowed to set up or carry on the trade, business, or manufacture of making pasteboard within the distance of one quarter of a mile of any mill or manufactory

manufactory for the making of paper, on pain of forfeiting in each and every such case respectively the sum of one hundred pounds, any thing in this or any other act or acts of Parliament to the contrary in any wise notwithstanding. Provided always, and it is hereby enacted, that pasteboard legally made in Great Britain, wholly of paper which shall have been duly charged with the duties payable thereon, shall not be charged or chargeable with any further or other duties imposed by this or any other act or acts of Parliament.

XII. *Paper, Pasteboard, &c. to be made up in manner directed by Act.*—And be it further enacted, that from and after the said 5th day of July 1802, all paper, pasteboard, millboard, scaleboard, and glazed paper, which shall be made in Great Britain, or which shall be made in Ireland and imported from thence into Great Britain, shall be made up by the maker or makers thereof in the manner hereinafter mentioned, that is to say, all such paper, as soon as made, shall be forthwith made up into quires, each such quire to consist of twenty-four sheets; and such quires shall be forthwith made up into reams, each such ream to consist of twenty such quires. And all such pasteboard, millboard, scaleboard, and glazed paper respectively, shall, as soon as made, be forthwith made up in regular parcels, each such parcel containing even dozens of sheets of one and the same denomination, and of equal dimensions, and not less than twenty-four nor more than seventy-two such sheets in each such parcel, and every and all such maker or makers shall by him, her, or themselves, or by his, her, or their servants, cause all such paper, pasteboard, millboard, scaleboard, and glazed paper respectively, to be immediately tied up in covers or wrappers conformably in every respect to the directions provided and contained in an act of Parliament passed in the 34th year of the reign of his present Majesty, intituled "An act," (c. 20.) and shall thereupon, without delay, denominate, mark, write, or print on each such cover or wrapper of paper, in large, legible characters, and in words at length, the class of the paper enclosed in such cover or wrapper, distinguishing in which of the two classes of paper herein before mentioned, the duty for or in respect of such paper is chargeable, together with the true number of such ream of paper, according to the number of such reams of paper, of each such class, made by such maker or makers, at such mill, during the current quarter of a year, to be computed from the 5th day of January, the 5th day of April, the 5th day of July, and the 10th day of October, as the case may require, in such year, such number to be taken progressively, beginning one, two, and

so onwards, according to the number of reams of paper of each class made at such mill in each such quarter of a year; and that on each such parcel of pasteboard, millboard, scaleboard, and glazed paper respectively there shall, in like manner, as soon as the same be shall tied up in the manner herein before directed, be denominated, marked, written, or printed in large and legible characters, and in words at length, the true description of such parcel, and whether such parcel is pasteboard, millboard, scaleboard, or glazed paper, and the number of sheets in each such parcel, together with the true progressive number of such parcel of pasteboard, millboard, scaleboard, or glazed paper, made by such maker or makers, at his, her, or their respective mills, or manufactories, during the then current quarter of a year, commencing as aforesaid: And if any maker or makers of paper, pasteboard, millboard, scaleboard, or glazed paper, shall neglect, or refuse to make and tie up, and denominate all such paper, pasteboard, millboard, scaleboard, and glazed paper, in the manner herein before directed, for the space of twenty-four hours after such paper, pasteboard, millboard, scaleboard, and glazed paper shall be made; or if any such maker or makers, after any such paper, pasteboard, millboard, or glazed paper shall be so made and tied up, and marked, and denominated, as aforesaid, and before the same shall be respectively charged by the proper officer, shall untie or take the same out of the cover, or wrappers, or otherwise alter any reams, or parcels, or the denominations, descriptions, or numbers marked, written, or printed thereon, or on the covers or wrappers thereof respectively, or after the same shall have been so made and tied up, and marked, and denominated, as aforesaid, and before charged by the proper officer, or if any such maker or makers, as aforesaid, shall hide, or conceal, or take away, or remove any such paper, pasteboard, millboard, scaleboard, or glazed paper, from or out of the mill, room, or other place, entered for making, laying, or keeping the same, every such maker, or makers, so offending, shall, for each and every such offence forfeit the sum of two hundred pounds, together with all such paper, pasteboard, millboard, scaleboard, and glazed paper, which, he, she, or they shall so neglect or refuse to make, and tie up, and mark, and denominate, as aforesaid, or which he, she or they shall so untie or take out of the covers, or wrappers, or of which he, she, or they shall alter the denomination, description, or number, or which he, she, or they shall hide, or conceal, or take away, or remove from or out of the mill, room, or other place entered for making, laying, or keeping the same, as aforesaid, and all such paper, pasteboard, millboard, scaleboard, and glazed paper, shall and may be seized by any officer or officers of excise.

cise. Provided always that all and every maker or makers of paper shall be at liberty to make his, her, or their paper into quires without folding the same, such quires, when made up into reams, being separated by a slip of coloured paper placed between each quire, and visible on the outside of the ream: And provided also that the outside quires of each and every ream of paper shall and may consist of any number of sheets not less than twenty, nor exceeding twenty-four, at the option of the maker or makers of such paper; any thing herein before contained in any wise notwithstanding.

And be it further enacted, that from and after the said fifth day of July 1802, it shall and may be lawful to and for any maker or makers of paper to divide paper with a knife or other instrument before such paper shall be put or tied up in reams, provided always that the quantity of such paper upon which the duty may be chargeable shall not be in any respect lessened or diminished thereby; and provided also that all paper which shall be so divided shall, on the outside of the cover or wrapper containing the same, be distinguished by the words "cut paper," being marked, written, or printed thereon in large legible characters by the maker or makers thereof respectively, any thing in this act or any other act or acts of Parliament to the contrary in anywise notwithstanding.

XIII. Persons taking a false Oath to be liable to the Penalty for Perjury.—And be it further enacted by the authority aforesaid, That any person or persons who shall be convicted of wilfully taking a false oath, in any of the cases in which an oath is required to be taken, by virtue of this or any other act or acts of Parliament, in force immediately before the passing of this act, in order to obtain any drawback or allowance by this act granted, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

XIV. Duties and Drawbacks (except where altered by this Act) shall be managed as the like Duties and Drawbacks might be under Acts now in force, and the Goods shall be under like Regulations.—And be it further enacted, That the duties of customs and excise, and drawbacks and allowances, respectively granted by this act, shall (except where any alteration is expressly made by this act) be managed, ascertained, raised, levied, collected, recovered, answered and paid, adjudged, mitigated, and allowed, in such and the like manner, and in or by any or either of the means, ways, or methods respectively, by which the like respective duties of customs and excise, and drawbacks and allowances, were or might be

raised, levied, collected, assessed, paid, recovered, adjudged, mitigated, and allowed by any act or acts now in force relating to the duties of customs and excise respectively; and that all the goods, wares, merchandizes, or commodities, so by this act respectively made liable to the payment of or chargeable with duties of customs or excise respectively, or so entitled to drawbacks or allowances, shall be, and the same are hereby made subject and liable (except where any alteration is expressly made by this act) to all and every conditions, rules, regulations, restrictions, provisions, and forfeitures respectively, to which goods, wares, or merchandise in general; and also all and every the special conditions, rules, regulations, restrictions, and forfeitures respectively, to which the like goods, wares, or merchandizes respectively were subject and liable, by any act or acts of Parliament in force at and immediately before the passing of this act, respecting the duties of customs and excise respectively, and all and every pain, penalty, fine, or forfeiture, of any nature or kind whatsoever, as well pains of death as others, for any offence whatsoever, committed against, or in breach of any act or acts of Parliament in force at and immediately before the commencement of this act, made for securing the revenue of customs or excise respectively, or for the regulation or improvement thereof, and the several powers, directions, clauses, matters, and things therein contained, (unless where expressly altered by this act) shall, and the same are hereby respectively directed and declared to extend to, and the same respectively shall be applied, practised, and put in execution, for and in respect of the said duties of customs and excise, and drawbacks, hereby charged and allowed in as full and ample manner, to all intents and purposes whatsoever, as if all and every the said acts, clauses, conditions, rules, regulations, restrictions, provisions, powers, directions, fines, pains, penalties, forfeitures, matters, and things respectively, were particularly repeated and re-enacted in the body of this act.

XV. For Paper delivered after, on Contracts prior thereto, an Equivalent to the Duty to be deducted.—And whereas contracts may have been made before the 5th day of July, 1802, by makers of, or dealers in paper, for serving paper to be delivered in point of time, after the said 5th day of July, 1802, Be it it therefore enacted, That all such contracts shall be, and the same are hereby declared null and void, to all intents and purposes.

XVI. Duties to be carried to the Consolidated Fund.—And be it further enacted, That all the monies arising by the duties by this act imposed,
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(the necessary charges of raising and accounting for the same excepted) shall, from time to time, be paid into the receipt of his Majesty's Exchequer at Westminster, and the said money so paid into the said receipt of Exchequer as aforesaid, shall be carried to, and made part of the consolidated fund.

XVII. *Application of Duties.*—Provided always, and be it further enacted, That all the monies arising, or to arise, by the said rates and duties by this act imposed, or any of them, shall, and that the said monies shall, during the space of ten years next ensuing, be paid into the receipt of his Majesty's Exchequer at Westminster, distinctly and apart from all other branches of the public revenues: And that there shall be provided and kept in the office of the auditor of the said receipt, during the said period of ten years, a book, or books, in which all the monies arising from the said rates and duties, and paid into the said receipt, shall, together with the monies arising from any rates and duties granted in this session of Parliament for the purposes of defraying such increased charge as aforesaid, be entered separate and apart from all other monies paid or payable to his Majesty, his heirs, or successors, upon any account whatever.

XVIII. Provided always, and be it further enacted, That it shall be lawful for the commissioners for the time being, appointed to manage the duties on stamped vellum, parchment, and paper, and they are hereby authorized for and during the period of three months after the passing of this act, to continue to allow the said full additional discount of four pounds and ten shillings per centum on the sums payable for duties to the proprietors, printers, or publishers of newspapers, in every case in which it shall be proved to the satisfaction of the said commissioners of stamp duties, or any three or more of them, or any officer appointed by them, or any three or more of them, for such purpose, either by oath or otherwise, and which oath the said commissioners, or such person so appointed as aforesaid, are hereby authorized to administer, that the full duties payable before the passing of this act, on the paper and for the printing of the newspapers in respect whereof such allowance of discounts shall be claimed, has been paid, any thing in this act to the contrary notwithstanding.

PUBLIC ACTS.

The following **BILLS** received the Royal Assent in the Course of the Second Session of the First Parliament of the United Kingdom of Great Britain and Ireland.

NOVEMBER 27, 1801.

AN act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year 1802.

An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, Wales, and the town of Berwick upon Tweed, and certain duties on sugar, malt, tobacco and snuff, for the service of the year 1802.

An act to revive and continue until the 25th day of day of March, 1803, so much of an act made in the 41st year of the reign of his present Majesty, as relates to permitting the use of salt, duty free, in preserving of fish, and to discontinuing the bounty payable on white herrings exported; and to indemnify all persons who have issued or acted under any orders for delivering salt, duty free, for the purposes in the said act mentioned.

An act to repeal an act made in the 41st year of the reign of his present Majesty, intituled, "An act to prohibit, until the first day of October, one thousand eight hundred and one, and from thence to the end of six weeks next after the commencement of the then next session of Parliament, any person or persons from selling any bread which shall not have been baked twenty four hours;" and to indemnify bakers and other persons who have sold, or exposed to sale, any bread within the time prohibited by the said act.

DECEMBER 12, 1801.

An act for granting annuities to satisfy certain exchequer bills.

An act for raising the sum of 300,000*l.* by loans or exchequer bills, for the service of the United Kingdom for the year 1802.

An act to rectify a mistake in an act made in the last session of Parliament, intituled, "An act for granting to his Majesty a certain sum of money for the service of Great Britain, to be raised by a lottery," and to amend so much of the said act as relates to the commencement of the drawing of the said lottery.

An act to continue until the first day of January, one thousand eight hundred and two, so much of an act made in the thirty-ninth and fortieth years of the reign of his present Majesty, as relates to the reducing the duties upon worts, or wash brewed or made from melasses or sugar, or any mixture therewith, or to any distiller or distillers, or maker or makers of spirits; for revising and continuing, for the same period, so much of the said act as relates to the reducing and better collecting the duties payable on the importation of starch; and for continuing, for the same period, an act made in the same session of Parliament for prohibiting the making of low spirits from wheat, barley, malt, or other sort of grain, or from any meal, flour, or bran, in Scotland; and so much of an act made in the last session of Parliament, as relates to the allowing the distillation of spirits in Scotland from melasses or sugar, at a lower rate of duty.

An act to repeal an act made in the thirty-ninth year of the reign of his present Majesty, intituled, "An act to permit, until the first day of August, one thousand eight hundred and two, the importation of certain naval stores from Hamburg and other parts of Germany."

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An act to continue, until the first day of January, one thousand eight hundred and three, and amend an act of the thirty-ninth year of the reign of his present Majesty, for prohibiting the exportation, and permitting the importation of corn, and for allowing the importation of other articles of provision, without payment of duty; and to continue, for the same period; an act of the last session of Parliament, for prohibiting the exportation from Ireland of corn or potatoes, or other provisions, and for permitting the importation into Ireland of corn, fish, and provisions, without payment of duty.

An act to revive and continue, until the first day of January, one thousand eight hundred and three, an act made in the thirty-third year of the reign of his present Majesty, intituled, "An act for the relief of the captors of prizes with respect to the bringing and landing certain prize goods in this kingdom."

An act to regulate, until the twenty-first day of March, one thousand eight hundred and three, the number of private militia-men in the several counties, ridings, and places, therein-mentioned; and for supplying of vacancies in the militia.

An act to remove certain restraints upon the correspondence by letter between persons residing in Great Britain and Ireland, and persons residing in certain foreign countries.

An act for continuing the term, and enlarging the powers of two acts passed in the thirty-second year of the reign of his late Majesty George the Second, and the nineteenth year of the reign of his present Majesty, for repairing, widening, and rendering safe and commodious, several roads leading from the town of South Molton, in the county of Devon.

An act for continuing the term, and altering and enlarging the powers of two acts passed in the thirtieth year of the reign of his late Majesty George the Second, and the twenty-second year of the reign of his present Majesty, for amending, widening, and keeping in repair several roads in and near the town of Tenbury, in the counties of Salop, Worcester, and Hereford, and also the road leading from the Knowle-gate to the turnpike-road on the Clee-hill, leading from Hedlow to Cleobury Mortimer, and from Kyre-mill to the turnpike-road, leading from Broomyard to Tenbury, in the said counties.

An act for dividing, allotting, and enclosing the open fields, commons, and waste grounds, within the parish of East Tuddenham, in the county of Norfolk.

An act for enabling the Hon. Barbara Cockayne Medlycott to take and use the surname and arms of Medlycott, pursuant to the will of her grandfather, Thomas Medlycott, Esq. deceased.

DECEMBER 15, 1801.

An act to prohibit the distillation of spirits from wheat in Ireland.

An act to permit, until the 10th day of July, one thousand eight hundred and two, the making of starch from rice or potatoes, or any mixture thereof, and the importation of any such starch from Ireland, free of duty.

An act to continue, until the first day of July, one thousand eight hundred and two, an act made in the thirty-fifth year of the reign of his present Majesty, for permitting the importation of organized thrown silk, flax, and flax seed, into this kingdom, in ships or vessels belonging to any kingdom or state in amity with his Majesty.

An act for continuing the terms and powers of an act made in the twentieth year of the reign of his present Majesty, intituled, "An act for amending the road from the west end of Seend-street to the Horse and Jockey,

" Jockey, in the parish of Box, in the county of Wilts, and certain other roads leading out of the said road, and for making an additional road from the said road, in the chapelry of Seend, to communicate with the Devizes turnpike-road, at or near Somerham Brook, in the same chapelry, all in the said county."

FEBRUARY 24, 1802.

An act for raising a further sum of money by loans or exchequer bills, for the service of Great Britain, for the year one thousand eight hundred and two.

An act for continuing the premium allowed to ships employed in, and for enlarging the limits of the Southern Whale Fishery.

An act to amend so much of an act made in the twenty ninth year of his late Majesty, George the Second, intituled, " An act for explaining, amending, and rendering more effectual an act made in the twenty-second year of his present Majesty, intituled, an act for making a free market for the sale of fish in the city of Westminster, and for preventing the forestalling and monopolizing of fish, and for allowing the sale of fish under the dimensions mentioned in a clause contained in an act of the first year of his late Majesty's reign, in case the same are taken with a hook," as relates to the sale of eels.

An act for continuing the term, and altering and enlarging the powers of two acts, the one passed in the thirtieth year of the reign of his present Majesty, for more effectually amending several roads leading from and near the borough of Truro, in the county of Cornwall, and for building and keeping in repair a bridge over the river, at a place called the Steppings, in or near the said borough; and the other passed in the twenty-second year of the reign of his present Majesty, for extending the provisions of the said former act to the several other roads therein described.

MARCH 19, 1802.

An act for raising the sum of one million, by loans or exchequer bills, for the service of Great Britain for the year 1802.

An act to repeal the duties on cinnamon, imported by the East India Company, and on cassia lignea of all sorts, and for granting new duties in lieu thereof; and to repeal the custom duties on certain hides and skins, and to repeal certain duties granted by an act of the last session of Parliament upon box-wood imported, and granting new duties in lieu thereof.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments, and to indemnify justices of the peace, and others who have omitted to register or deliver in their qualifications within the time directed by law, and for extending the time limited for those purposes, until the 25th day of December, 1802; to indemnify members and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid, and for allowing them until the 25th day of December 1802, to provide admissions duly stamped, to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies, and solicitors, to make and file the same, on or before the first day of Michaelmas Term, one thousand eight hundred and two; to allow, until the twenty-fourth day of December, one thousand eight hundred and two, persons who have omitted to pay the duties on the indentures and contracts of clerks, apprentices, or servants, to make payment of the same; to indemnify such persons as have neglected to obtain certificates of admission as solicitors, or attornies, notaries, or proctors, and

and for extending the time limited for that purpose, until two months after the passing of this act; to indemnify persons who have printed or published pleadings and other proceeding in courts of law or equity, upon which the name and place of abode of the printer has not been printed; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose, until the first day of September, one thousand eight hundred and two.

An act for making perpetual so much of an act made in the nineteenth year of the reign of his present Majesty, as relates to the allowing a drawback of the duties on rum shipped as stores to be consumed on board merchant ships on their voyages; and to continue several laws relating to the permitting the exportation of tobacco pipe-clay from Great Britain to the British sugar colonies in the West Indies, until the twenty-fourth day of June, one thousand eight hundred and eight; to the giving further encouragement to the importation of naval stores from the British colonies in America, until the twenty-ninth day of September, one thousand eight hundred and twelve; to the regulating the payment of the duties on cinnamon, cloves, nutmegs, and mace; to the allowing the importation of certain fish from Newfoundland and the coast of Labrador, until the twenty-fourth of June, one thousand eight hundred and eight; and to the allowing the importation and exportation of goods from and to India and China, in ships not of British construction, during the continuance of the exclusive trade to and from the East Indies, granted to the East India Company by an act of the thirty-third year of his present Majesty's reign.

An act for continuing, until the twenty-fifth day of December, one thousand eight hundred and four, the bounties granted for the encouragement of the Greenland whale fisheries, and for continuing and amending the regulations respecting the same.

An act for repairing, altering, widening, and improving the road leading from the city of Canterbury to the town of Ramsgate, in the Isle of Thanet, in the county of Kent, and for suspending and varying, for a limited time, so much of an act, passed in the twenty-seventh year of the reign of his present Majesty, as relates to the toll-gate, and to the tolls now payable by virtue of the said act, on the road leading from the said city of Canterbury to the Isle of Thanet.

An act for repairing, altering, widening, and improving the road leading from the city of Canterbury to the town and port of Sandwich, in the county of Kent.

An act for continuing the term, and altering and enlarging the powers of two acts, passed in the thirty-third year of the reign of his late Majesty King George the Second, and in the twenty-first year of the reign of his present Majesty, for repairing and widening the road leading from the turnpike-road near the west end of the town of Chesterfield to Matlock-bridge, and also the road leading out of the said road over Dailey-bridge to Crois Green, and also the road leading out of the said last-mentioned road to the turnpike road near Rowsley-bridge, all in the county of Derby.

An act for repairing, widening, improving, and keeping in repair, the road leading from the Shire-hall in the town and port of Woodbridge, to the Broad-street in the town and borough of Eye, in the county of Suffolk.

An act for continuing the term, and altering and enlarging the powers of an act passed in the seventeenth year of the reign of his present Majesty, intitled, "An act for repealing an act, made in the twenty-seventh year

"of his late Majesty, King George the Second, for amending, widening, and keeping in repair, the road leading from Union-point, near the town of Uckfield, in the county of Sussex, to Langney-bridge, in the parish of Westham, in the said county, and for more effectually repairing the said road, and also, for amending, widening, and keeping in repair, the road from the side-gate on the Horsebridge turnpike-road, in the parish of Hellingly, to the turnpike-road leading from Cross-in-hand to Burwash, in the said county."

An act for continuing the term, and altering and enlarging the powers of two acts, passed in the first and twenty-first years of the reign of his present Majesty, for amending and widening the road leading from the town of Falmouth, in the county of Cornwall, through the towns of Penryn, Helfton, and Marazion, and from thence to and over Marazion river and bridge, and two hundred feet to the westward of the said river and bridge.

An act for dividing, allotting, and enclosing the commons and wastes within the manor and parish of Barkefwell, in the county of Warwick.

MARCH 24, 1802.

An act for continuing until the twenty-fifth day of March, one thousand eight hundred and three, several acts of the last session of Parliament, for continuing and granting duties to his Majesty in Ireland.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters, within the united kingdom, and the islands of Jersey, Guernsey, Alderney, Sark and Man.

An act for the regulation of his Majesty's marine forces, while on shore, until the twenty-fifth day of May, one thousand eight hundred and two.

An act to empower his Majesty to cause certain countervailing duties, granted by an act of the thirty-seventh year of the reign of his present Majesty, intituled, "An act for carrying into execution the treaty of amity, commerce, and navigation, concluded between his Majesty and the United States of America," to cease or be suspended until the twenty-fifth day of March, one thousand eight hundred and three, under certain circumstances.

An act for continuing, until the twenty-fifth day of March, one thousand eight hundred and five, and from thence to the end of the then next session of Parliament, and amending several laws relating to the transportation of felons, and other offenders, to temporary places of confinement in England and Scotland respectively.

An act to authorize the East India Company to make their settlement at Fort Marlborough, in the East Indies, a factory subordinate to the presidency of Fort William, in Bengal, and to transfer the servants, who, on the reduction of that establishment, shall be supernumerary to the presidency of Fort St. George.

An act to continue, until the twenty-fifth day of July, one thousand eight hundred and two, an act made in the last session of Parliament, intituled, "An act to stay, until the twenty-fifth day of March, one thousand eight hundred and two, proceedings in actions under the statute of King Henry the Eighth, for abridging spiritual persons from having pluralities of livings, and from taking of farms."

An act to enable his Majesty to grant certain parcels of land, situate between Great Prince Rock and the village of Crab Tree, called Tothill Bay, and Lipson Bay, near to the borough of Plymouth, in the county of Devon, to certain persons therein named, for the purpose of embanking and preserving the same from the sea.

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An act to enlarge the powers, and explain and amend an act made in the twenty-second year of the reign of his late Majesty, King George the Second, intituled, "An act for the better repairing the highways, and cleansing the streets within the parish of St. Leonard, Shoreditch, in the county of Middlesex, and for better enlightening the open places, streets, lanes, passages, and courts there, and regulating the nightly watch and beadles within the said parish," and for paving, repairing, and regulating certain footways, squares, streets, lanes, and other public passages and places in the said parish, and for removing nuisances, obstructions, and annoyances therein.

An act for continuing the term, and altering and enlarging the powers of an act passed in the twenty-first year of the reign of his present Majesty, for repairing and widening the road from Wilmshw Bridge, in Wilmshw, in the county of Chester, through Nether Alderley, in the town of Congleton, to or near the Red Bull, in Church Lowton, in the said county.

An act for continuing the term, and altering and enlarging the powers of so much of two acts passed in the twenty-eighth year of the reign of his late Majesty, King George the Second, and the twentieth year of the reign of his present Majesty, for repairing and widening the several roads therein mentioned, as relates to the road leading from the Cross of Hand, near Finford-bridge, in the county of Warwick, through the town of Santham, in the same county, to the borough of Banbury in the county of Oxford.

An act for continuing the term and altering and enlarging the powers of two acts passed in the twenty-eighth year of the reign of his late Majesty, King George the Second, and in the twenty-first of the reign of his present Majesty, for repairing the several roads therein mentioned, so far as the same relate to the road from Leeds to Otley, in the West Riding of the county of York.

An act to continue the term and alter and enlarge the powers of several acts passed in the eleventh, twenty-sixth, and twenty-ninth years of the reign of his late Majesty, King George the Second and in the twenty-second year of the reign of his present Majesty, for repairing the road from Shoreditch church, through Hackney, to Stamford Hill, and cross Cambridge Heath, over Bethnal Green, to the turnpike at Mile End, in the county of Middlesex.

An act for continuing the term, and altering and enlarging the powers of two acts passed in the second and seventeenth years of the reign of his present Majesty, for repairing and widening several roads in the counties of Cornwall and Devon, leading to the borough of Saltash, in the county of Cornwall.

APRIL 15, 1802.

An act for raising the sum of twenty-five millions by way of annuities.

An act for granting to his Majesty certain additional duties on windows or lights, and on inhabited houses, and for consolidating the same with the present duties thereon.

An act to continue, until the twenty-ninth day of September, one thousand eight hundred and three, several acts of the last sessions of Parliament, for reviving, continuing, and amending several laws for the better collection and security of the revenues of Ireland.

An act for regulating, until the fifteenth day of February, one thousand eight hundred and three, the prices at which grain, meal, and flour may be exported from Great Britain to Ireland, and from Ireland to Great Britain.

An act for enlarging the term and powers granted by several acts, of
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laying a duty of two pence. Stew upon every pint of ale and beer brewed and vendd within the town of Dundee, and the liberties and suburbs thereof.

An act to amend and render more effectual an act made in the seventh year of his present Majesty's reign, for the better relief and employment of the poor of the parish of St. Mary, Idington, in the county of Middlesex.

An act for building a new gaol for the county of Galway, and for purchasing land sufficient for the same, and for other purposes relating thereto.

An act for repealing so much of an act passed in the thirty-third year of his present Majesty, intituled, "An act for making and maintaining a navigable canal from the river Severn, at Shrewsbury, in the county of Salop, to the river Mersey, at or near Netherpoole, in the county of Cheshire, and also for making and maintaining certain collateral cuts from the said intended canal," as restrains the company of proprietors of the said canal from taking tonnage on coals, coak, culm, lime or lime-stone, upon a part of the said canal, and for authorizing the said company of proprietors to raise a sum of money to make up the amount of their original subscription, and for further amending the several acts passed relative to the making of the said canal.

An act to enable the company of proprietors of the navigation from the Trent to the Mersey, to make railways, to alter the course of the railway from Froggall to Caldon, and part of the course of the canal from Froggall to Uttoxeter; and to amend the Trent and Mersey canal acts.

An act for amending and rendering more effectual so much of an act passed in the thirteenth year of the reign of his present Majesty, intituled,

"An act for draining and preserving certain fen lands and low grounds, lying in the south level, part of the great level of the fens, commonly called Bedford Level, between certain old rivers or drains, called Stoke river, and Brandon river, and a certain level or district, called Fekewell new District, and the hard lands of Woodhall-in-Helgay, and Helgay, in the counties of Norfolk and Suffolk," as relates to the fen and low grounds lying within the second district or division described in the said act.

An act for draining and improving certain fen lands, and low grounds, within the several parishes of Downham-market, Winbotsham, Staw, Bardolph, and Denver, in the county of Norfolk.

An act for dividing, allotting, enclosing, draining, and preserving, the open fields; marsh lands, fens, commons, and waste grounds, within the parish of Runham, in the county of Norfolk.

An act for continuing the term, and altering and enlarging the powers of two acts passed in the twenty-eighth year of the reign of his late Majesty King George the Second, and in the twenty first year of the reign of his present Majesty, for repairing several roads therein described, so far as the same relate to the roads from Otley to Skipton, in the county of York, and from Skipton aforesaid to Colne, in the county palatine of Lancaster, and for altering the course or direction of certain parts of the said road from Otley to Skipton aforesaid.

An act for continuing the term, and altering and enlarging the powers of two acts passed in the thirty-second year of the reign of his late Majesty King George the Second, and in the eighteenth year of the reign of his present Majesty King George the Third, for repairing and widening the road leading from the east side of Barnsley Common, in the county of York, to the middle of Grange Moor, and from thence to White Cross; and also the road from the guide-post in Barugh, to a rivulet called Barugh-brook, and

and from thence for two hundred yards, over and beyond the same rivulet or brook, into the township of Cawthorne, in the same county.

An act for continuing the term, and altering and enlarging the powers of two acts, one passed in the twenty-eighth year of the reign of his late Majesty, King George the Second, and the other in the sixteenth year of the reign of his present Majesty, for widening and repairing the road leading from Horsham, in the county of Sussex, through Capell, Dorking, Mickleham, and Leatherhead, to the Watch-house in Ebbesham, in the county of Surrey, and from Capell to Stone-street, in the parish of Ockley, in the said county of Surrey.

An act for dividing, allotting, inclosing, and improving certain open meadows, commonable lands, and waste grounds, within or belonging to the manor or parish of Alrewas, in the county of Stafford.

An act for dividing, allotting, inclosing, and improving a tract of common and waste land, called Ros-hir-waun, situate in the several parishes of Aberdaron, Llanfaielys, and Bryneroes, in the county of Carnarvon.

An act for dividing, allotting, and enclosing the several open fields, stinted pastures; and commons, within the parish of Richmond, in the North Riding in the county of York.

An act for dividing, allotting, and enclosing, the open and common fields, meadows, pastures, and other commonable lands and waste grounds, in the parish of Kempston, in the county of Bedford.

APRIL 30, 1802.

An act for granting to his Majesty certain additional duties on servants, carriages, horses, mules, and dogs, and for consolidating the same with the present duties thereon.

An act for granting to his Majesty additional duties on beer and ale brewed in, or imported into, Great Britain, on malt made in Great Britain, on hops grown in, or imported into, Great Britain, and on spirits distilled in Ireland, and imported into Great Britain, for repealing certain allowances to brewers of beer and ale, and for preventing frauds and abuses in the revenue of excise on beer, ale, and malt.

An act for extending the time for the payments of certain sums of money advanced by way of loan to several persons connected with, or trading to the islands of Grenada and St. Vincent.

An act to continue, until the first day of March, one thousand eight hundred and three, the restrictions contained in several acts of the thirty-seventh and thirty-eighth years of the reign of his present Majesty, on payments in cash by the Bank.

An act for continuing and enlarging the term and powers of two several acts, of the thirty-second year of the reign of his late Majesty, and of the twentieth year of his present Majesty, charging a duty of two pennies Scots, or one-sixth part of a penny sterling, upon every Scots pint of ale, porter, and beer, brewed for sale, brought into, rapped, or sold, within the town and parish of Kello, in the county of Roxburgh, for the purpose therein mentioned.

An act for inclosing and improving Mountjoy-square, in the parish of St. George, in the county of Dublin.

An act for enabling the company of proprietors of the Somersetshire canal navigation, to vary and alter the lines of the said canal, to raise money for completing the said canal and works; and to alter and amend the powers and provisions of the several acts passed for making the said canal.

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An act for continuing the term, and altering and enlarging the powers of two several acts passed in the twenty-seventh year of the reign of his late Majesty King George the Second, and in the twenty-first year of the reign of his present Majesty, for repairing and widening the high road from Wellwood Gate, in the parish of Knotting, in the county of Bedford, through the towns of Rushden and Higham Ferrers, and over Attleborough Bridge, to the turnpike road in Barton Seagrave Lane, in the parish of Barton Seagrave, in the county of Northampton.

An act for continuing the term, and altering and enlarging the powers of three several acts passed in the twenty-seventh year of the reign of his late Majesty King George the Second, and in the thirteenth and twenty-first years of the reign of his present Majesty, for repairing and widening the road leading from the toll gate, in the parish of Kettering, through the town of Wellborough, in the county of Northampton, and through Olney, over Sherrington bridge, to Newport Pagnell, in the county of Bucks, and for repairing and widening, or rebuilding the said Sherrington Bridge.

An act for amending, widening, turning, altering, improving, and keeping in repair, the road leading from the turnpike road, in the Horse Fair, in the town of Banbury, in the county of Oxford, through Swalcliffe, in the said county of Oxford; and through Brailles, in the county of Warwick, to the bridge crossing the river Stour, in the parish of Barchston, in the said county of Warwick.

An act for continuing the term, and altering and enlarging the powers of an act passed in the twenty-second year of his present Majesty, intitled, "An act for amending and keeping in repair the road from Wrexham, in the county of Denbigh, to Barn, in the county of Chester; and for making, amending, and keeping in repair, the branching out of the said road, at a place called Pwll-y-rhyd, in the said county of Denbigh, to the borough of Holt, in the said county."

An act for making and maintaining a new road to extend from or near to a place called Beattock, in the parish of Kirkpatrick Juxta, in the county of Dumfries, by the boroughs of Lochmaben and Annan to the river of Sark, at or near to the present bridge there.

An act for vesting several messuages and hereditaments in Sheffield, in the county of York, and divers detached parts of the settled Estates of the most noble Charles Duke of Norfolk, in trustees, upon trust to sell, and for laying out the monies in the purchase of more convenient estates, and otherwise.

An act for dividing, allotting, inclosing, and appropriating, the commons, waste grounds, and moors, within the manor or township of Egton with Newland, in the parish of Ulverston, in the county Palatine of Lancaster.

MAY 4, 1802.

An act to enable the Lords Commissioners of His Majesty's Treasury of Great Britain to issue Exchequer bills on the credit of such aids or supplies as have been, or shall be, granted by Parliament for the service of Great Britain for the year 1802.

An act for repealing the duties on income; for the effectual collection of arrears of the said duties, and accounting for the same; and for charging the annuities specifically charged thereon upon the consolidated fund of Great Britain.

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An act for improving the Tinmouth Castle Light House and Light, and for authorising additional light duties in respect of such improvement.

An act for continuing the term, and altering and enlarging the powers of two several acts passed in the twenty-sixth year of the reign of his late Majesty King George the Second, and in the nineteenth year of the reign of his present Majesty, for repairing the road from Ashby de la Zouch, in the county of Leicester, through Burton upon Trent, in the county of Stafford, and to the Cock Inn, in Tutbury, in the said county.

An act for making and maintaining a turnpike road from a place called the Crown Hill, in the town of Newent, in the county of Gloucester, to join the turnpike road leading from the city of Hereford towards Newnham, in the county of Gloucester; and also another road leading from the bottom of Killcott Hill, in the parish of Newent aforesaid, towards the town and forest of Deane, in the county of Gloucester, with a branch from the same towards Ledbury, in the county of Hereford.

An act for authorising the trustees of the will of the Honourable Richard Walpole to sell certain parts of his copyhold estates in the county of Norfolk, for the payment of his debts.

MAY 7, 1802.

An act for granting to his Majesty certain duties on goods imported into, and exported from, Great Britain, and on the tonnage of ships and vessels entering outwards or inwards in any port of Great Britain to or from foreign parts.

An act for permitting French wines to be imported into Great Britain in bottles or flasks, under certain restrictions.

An act to continue, until three months after, any restriction imposed by any act of the present session of Parliament on the bank of England from issuing cash in payments shall cease; an act, made in the parliament of Ireland, in the thirty-seventh year of the reign of his present Majesty, for confirming and continuing the restrictions on payments in cash by the bank of Ireland.

An act to require overseers and guardians of the poor to keep a register of the several children who shall be bound or assigned by them as apprentices, and to extend the provisions of an act passed in the twentieth year of the reign of his present Majesty, to the binding of apprentices by houses of industry, or establishments for the poor, which have been authorised so to do by subsequent acts.

An act to authorise the advancement of further sums of money out of the consolidated fund, for completing the canal, and other works, which, by an act passed in the thirty-ninth year of his present Majesty's reign, intituled, "An act for rendering more commodious, and better regulating the port of London," were directed to be made and done by the Mayor, Aldermen, and Commons of the city of London, in Common Council assembled.

An act for opening several new streets in the town of Kilmarnock, and county of Ayr; for altering and widening some of the streets, lanes, and passages, within the said town; for building two new bridges over the water of Kilmarnock; for removing the present slaughter-houses in the said town, and building new ones, and a town-hall and guard-house; for enlarging and repairing the goal, or tolbooth; for enlarging the burial-ground of the said town; for paving the said town, and places adjoining thereto, and removing nuisances and annoyances therein; and for extending the jurisdiction of the Magistrates of the said town over certain adjacent land.

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An act for building and maintaining a house of correction in and for the city and county of Aberdeen; and for raising a fund for defraying the charges of apprehending, prosecuting, and subsisting criminals, rogues, and vagabonds found within the said city and liberties thereof.

An act to repeal an act passed in the twelfth year of the reign of his present Majesty, intituled, "An act for draining the low grounds and cists lying in the several parishes, townships, and places, of Keyningham, Keyningham Marsh, Ryhill, and Camerton, Burfwick, and Stockings, Burton Piddle, and Ridgemont, Ottringham, Halfham, Oxtwick, Roots, Rimfwell, Tunstall, Waxholme, Elsternwick, Lelley, Hombleton, Fitting, Hiltton, Garton, Alhrough, Flinton, and Tanterne, within the Seignory of Holderness, and East Riding, in the county of York;" and to render more effectual the drainage of all and singular the lands and grounds within the said several parishes, townships, and places, and within all other townships, hamlets, and places within, or parcel or member of, the several parishes mentioned, or any of them respectively.

An act for amending, widening, improving, and keeping in repair the road from, or nearly from, Porthaethwy Ferry, otherwise called Bangor Ferry, in the county of Carnarvon, to or near to Pentre Voelas, in the parish of Llanûydd, in the county of Denbigh.

An act for altering, amending, and enlarging the powers of so much of an act, passed in the forty-first year of the reign of his present Majesty, for repairing the roads from the town of Stockbridge, in the county of Southampton, to the city of Winchester, and from the said city, through Behmour Lane, to the top of Stephen's Castle Down, near the town of Bishop's Waltham, in the said county, and from the said city of Winchester, through Otterborne, to Bar Gate, in the town and county of the town of Southampton, as relates to the South district of the Southampton road.

An act for vesting part of the estates of John Williams, Esq. devised by will of Peckham Williams, Esq. deceased, in trustees, to be sold for discharging an incumbrance thereon.

An act for vesting the entirety of certain hereditaments in the county of Middlesex, and an undivided moiety of certain other hereditaments, in the same county, respectively devised, in strict settlements, by the will of John Lefevre, Esq. deceased, in Charles Shaw Lefevre, Esq. and his heirs; and for settling the entirety of certain messuages, lands, and hereditaments, in the county of Southampton, in lieu thereof, and to the like uses.

MAY 10, 1802.

An act to continue until the twentieth day of May, one thousand eight hundred and three, and amend an act made in the last session of Parliament, relating to certain duties on sugar and coffee exported; for permitting British plantation sugar to be warehoused; and for regulating and allowing drawbacks on sugar exported.

MAY 24, 1802.

An act for enabling his Majesty to settle an annuity of 12,000*l.* on his Royal Highness the Duke of Sussex, and a like annuity of 12,000*l.* on his Royal Highness the Duke of Cambridge, during his Majesty's pleasure.

An act for further continuing until the first day of February, 1806, an act made in the twenty-seventh year of the reign of his present Majesty, intituled, "An act to enable the Lord High Treasurer, or Commissioners of the Treasury, for the time being, to let to farm the duties granted by an act made in the twenty-fifth year of his present Majesty's reign, on horses
" let

"let to hire for travelling post, and by time, to such persons as should be willing to contract for the same."

An act for continuing an act made in this session of Parliament, intituled, "An act for punishing mutiny and desertion; and for the better payment of the army, and their quarters, within the United Kingdom, and the islands of Jersey, Guernsey, Alderney, Sark, and Man."

An act for continuing until the twenty-fifth day of June, 1802, an act made this session of Parliament, for the regulation of his Majesty's marine forces while on shore.

An act for defraying the charge of the pay of the militia in England, for the year 1802.

An act to indemnify persons who have omitted to qualify themselves for offices or employments in Ireland, according to law.

An act for enlarging the present, or providing an additional workhouse for that parish of Chatham, in the county of Kent, for raising money for that purpose, for the better ascertaining and collecting the poor rates, and for the better relief, government, and employment of the poor of the said parish.

An act for altering and enlarging the powers of an act, made in the tenth year of the reign of her late Majesty Queen Anne, intituled, "An act for erecting a workhouse in the city and county of the city of Norwich, for the better employment and maintaining the poor there," so far as the same relates to the erecting a new workhouse within the said city and county, and for the better maintenance of the poor thereof.

An act for draining, preserving from water, and improving certain low lands and grounds, lying within the several parishes or chapelries of Wookey, Westbury, Rodney, Stoke, Wedmore, Mear, Wear, Nyland, Badgworth, Biddifham, East Brent, South Brent, Cheddar, Axbridge, Compton Bishop, Lexton, Bleadon, Brean, Berrow, and Lympham, all in the county of Somerset; and for altering and improving the navigation of the river Axe, within the said parishes of Bleadons, Lympham, Loxton, East Brent, Compton Bishop, Biddifham, Badgeworth, Wear, and Axbridge, some or one of them, above and from a certain place called Southern Mead Barrs, situate within the said parish of Bleadon.

An act for continuing the term, and altering and enlarging the power of an act, passed in the twenty-first year of the reign of his present Majesty, intituled, "An act for continuing the term of an act, made in the thirty-second year of the reign of his late Majesty King George the Second, intituled, 'An act for amending and widening the roads leading from Stretford's Bridge, in the county of Hereford, to the New Inn, in the parish of Winstanlow, in the county of Salop: and also the road from Bluemantle Hall, near Mortimer's Cross, to Aymstrey, in the said county of Hereford, and for repealing so much of an act, made in the twenty-second year of the reign of his present Majesty, as relates to the road from Mortimer's Cross to Aymstrey Bridge.'"

An act for continuing the term, and altering and enlarging the powers of several acts passed in the ninth and twenty-eighth years of the reign of his late Majesty George the Second, and in the twenty-first year of the reign of his present Majesty, for repairing and widening certain roads therein described, so far as the same relate to the road from Henley Bridge, in the county of Oxford, to Dorchester Bridge, and from thence to Culnam Bridge, and to a place called Mile Stone, in the road leading to Magdalen Bridge, in the said county.

An act to continue the term, and alter and enlarge the powers of two acts, passed in the thirty-third year of the reign of his late Majesty King George the Second, and in the eighteenth year of the reign of his present Majesty, for repairing and widening the road from the Bars, at Boughton, within the liberties of the city of Chester, to Whitchurch, and from thence to Newport, in the county of Salop, and several other roads therein mentioned, so far as the said acts relate to the road leading from the Bars, at Boughton, within the liberties of the city of Chester, to Whitchurch aforesaid, being the first district of roads in the said acts mentioned.

An act for amending and widening, improving, and keeping in repair, the road leading from Worthing, in the parish of Broadwater, in the county of Sussex, by Findon, Washington Hill Rock, and Ashington Common, to Dial Post, and from thence, by Nep Castle and Baybridge Lane, to the Steyning turnpikes, at West Grinstead Park, in the said county.

An act for repealing an act, passed in the twenty-first year of the reign of his present Majesty, for repairing the roads leading from the Stones End, in Kent-street, in the parish of St. George, Southwark, to Dartford, and other roads therein mentioned, in the counties of Kent and Surrey, and for more effectually repairing and improving the said roads; and for lighting and watching, or guarding, the same; and also for increasing the compositions payable in lieu of statute duty by the parishes of East Greenwich, and St. Paul, Deptford, to the treasurer of the said roads.

An act for repealing an act passed in the eighteenth year of his present Majesty's reign, intituled, "An act for repairing the highways and bridges in the county of Wigtown; and for the more effectually amending, widening, altering, repairing, and keeping in repair, the road from the High Bridge of Cree, by Newton Douglass, Glenlace, and Stranraer, to Port Patrick, and from Stranraer to the confines of the county of Ayr, near the Cairn of Lochryan; and for levying a conversion money in lieu of the statute labour, and otherwise regulating the making and repairing the high roads and bridges in the said county."

An act for repairing, widening, and altering the road leading from the South end of Brown's Lane, in the parish of Great Staunton, in the county of Huntingdon, to the Bedford turnpike road, in the parish of Lavendon, in the county of Buckingham.

An act for continuing the term, and altering and enlarging the powers of two acts, one passed in the thirty-third year of the reign of his late Majesty King George the Second, and the other in the eighth year of the reign of his present Majesty, for amending, widening, and keeping in repair the road leading from the thirty-nine mile-stone at the upper end of Stone-street, in the town of Maidstone, in the county of Kent, to a certain place called Lubbs Lake, in the parish of Cranbrook, in the said county.

An act for continuing the term, and altering and enlarging the powers of two acts passed in the fifth and nineteenth years of the reign of his present Majesty, for repairing, widening, and keeping in repair, the several roads in the county of Carmarthen, so far as relate to the Kidwelly district of roads therein mentioned; for discharging the trustees from the care of a part of the roads within the said district, and for amending, widening, improving, and keeping in repair, the road leading from the North side of a bridge called Pont-y-Gribenluyd-ar-Gwilly, to a bridge called Pont-ar-ddy-lais, and from thence to the river Lougher, in the parish of Llanelly, in the county of Carmarthen.

An act for rectifying a mistake in a settlement, made by the right honourable John late Earl of Bute, and the right honourable Mary Wortley, late Countess of Bute, and Baroness Mountstuart, his wife, both deceased.

An act for vesting the settled estates of George Silvertop, Esq. in Pont Island, otherwise Pont Ealand, in the county of Northumberland, and Winlaton, in the county of Durham, in trustees, to be sold, and for applying the money to arise by such sale in or toward the payment of the debts and legacies of John Silvertop, Esq. deceased, and for annexing the rectory and tithes of the parish church of Bywell, St. Peter, in the said county of Northumberland, held by a lease for twenty-one years, to the uses of the will of the said late John Silvertop, and for vesting in the said George Silvertop several parts or shares of certain coal mines or collieries in Stella Kyo field, Chopwell, and the parish of Ryton, in the said county of Durham, heretofore belonging to the said John Silvertop, mostly held by the like tenure, and for enabling the said George Silvertop to charge part of the settled estates with the sum of 5000*l*. and to authorise the executors of the said John Silvertop to pay to the said George Silvertop the sum of 235*l*. and deliver to him the household furniture, and other goods and chattels, for his own benefit; and also for vesting his estate in Minster Acres, in the said county of Northumberland, in trustees, to certain uses, and to the uses of the said will.

An act for dividing, allotting, and inclosing the commons and waste lands in the parish of Henllan, in the county of Denbigh.

An act for dividing, allotting, and inclosing the moor or common, open fields, stinted pastures, and other commonable lands, within the township of Mickleton, and parish of Romaldkirk, in the North Riding of the county of York.

MAY 28, 1802.

An act for granting to his Majesty a certain sum of money, to be raised by lotteries.

An act for making allowances, in certain cases, to subaltern officers of the militia during peace.

An act for enabling certain persons, in the town and port of Liverpool, in the county palatine of Lancaster, to erect an exchange there for the accommodation of themselves and the merchants, and others concerned in trade, in the said town and port, and for incorporating the proprietors thereof.

An act for completing the rebuilding of the tower of the parish church of Saint Anne, within the liberty of Westminster, in the county of Middlesex, and a new vestry-room, watch-house, engine-house, and vaults, for the use of the said parish, and for repairing the said church, improving the church-yard, and making certain regulations relating to the said parish.

An act for raising a further sum of money for carrying into execution three several acts passed in the thirty-fifth, thirty-eighth, and in the thirty-ninth and fortieth years of the reign of his present Majesty, for widening and improving the entrance into the city of London, near Temple-Bar, and for making a more commodious street or passage at Snow-Hill, and for raising on the credit of the Orphan's Fund a sum of money for those purposes, and for explaining, amending, and enlarging the powers of the said acts.

An act for dividing, allotting, and inclosing the open fields, commons, and

and waste grounds within the parishes of Catfield and Sutton, in the county of Norfolk, and for draining and preserving the said commons and waste grounds.

An act for continuing the term, and altering and enlarging the powers of several acts passed respecting several roads near the borough of Ashburton, and the town of Newton Bushell, and for amending, widening, altering, and keeping in repair the road leading from a place called Moor's Barn, to the end of White-hill Lane, in the parish of Highwick, and for making and maintaining a road from the bottom of Dean-Clapper Hill, at the west end of the village of Dean Prior, in the parish of Dean Prior, through the village of Dean church town, and from thence through the parishes of Rattery and South Brent, to Brent Bridge, all in the county of Devon.

An act for repealing an act, passed in the twenty-fifth year of the reign of his present Majesty King George the Third, for more effectually repairing the roads leading from the Stone's End in Blackman-street, in the borough of Southwark, in the county of Surrey, to Highgate, in the county of Suffex, and several other roads therein mentioned, and for granting other powers for those purposes.

An act for continuing the term, and altering and enlarging the powers of several acts, passed in the first and twelfth years of the reign of King George the First, the fifteenth year of the reign of King George the Second, and the seventh and thirty-fourth years of the reign of his present Majesty, for repairing the highways between Tyburn and Uxbridge, in the county of Middlesex, and for amending the road leading from Brent Bridge, over Hanwell Heath, through the parishes of Hanwell, New Brentford, and Ealing, to the great western road, in the said county; and for lighting, watching, and watering the highway between Tyburn and Kensington Gravel-pits.

An act for enabling trustees to make exchange of a messuage and other hereditaments at Scawby, in the county of Lincoln, (part of the settled estates of John Uppleby, Esq.) for a messuage and other hereditaments at Wooton, in the said county of Lincoln.

An act for dividing and allotting, in severalty, the open and common arable fields, commons, downs, common meadows, common pastures, and commonable places, within the parish of Westbury, in the county of Wilts.

JUNE 3, 1802.

An act for raising a certain sum of money, by way of annuities or debentures, for the service of Ireland.

An act to repeal an act, passed in the twenty-fifth year of the reign of his present Majesty, for granting stamp duties on certain medicines, and for charging other duties in lieu thereof, and for making effectual provision for the better collection of the said duties.

An act for allowing, until the 20th day of May, 1803, additional bounties on refined sugar exported, and discontinuing the duty thereon granted by an act of this session of Parliament.

An act to amend so much of an act, made in the Parliament of Ireland, in the thirty-seventh year of the reign of his present Majesty, intitled, "An act for vesting a certain fund in commissioners at the end of every quarter of a year, to be by them applied to the reduction of the national debt, and to direct the application of additional funds, in case of future loans, to the like purpose," as relates to the commissioness for carrying the same into execution.

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An act to continue, until the 30th day of May, 1803, and amend an act, made in the last session of Parliament, for regulating and allowing drawbacks on sugar exported from Ireland, and for allowing British plantation sugar to be warehoused in Ireland, and for granting an additional drawback on the exportation of refined sugar.

An act for extending the provisions of an act, made in the thirty-fourth year of the reign of his present Majesty, intituled, "An act for directing the appointment of commissioners to administer certain oaths and declarations, required by law, to be taken and made by persons offering to vote at the elections of Members to serve in Parliament," to all oaths now required by law to be taken by voters at elections for members to serve in Parliament.

An act for the further encouragement of Irish mariners, and for other purposes relating thereto.

An act for making and maintaining a railway, or tram road, from, or from near, a certain place, called the Flats, in the parish of Llanelly, in the county of Carmarthen, to, or near to, certain lime rocks, called Castell-y-Garreg, in the parish of Llanfihangel-aberbythick, in the said county, and for making and maintaining a dock, or basin, at the termination of the said railway or tram road, at, or near the said place called the Flats.

An act to continue the term, and alter and enlarge the powers of two acts, passed in the thirty-third year of the reign of his late Majesty King George the Second, and the other in the eighteenth year of the reign of his present Majesty, for repairing and widening the road from the Barrs at Boughton, within the liberties of the city of Chester, to Whitechurch, and from thence to Newport, in the county of Salop, to Iwersey Bank, in the county of Stafford, and from thence to Castle Bromwich and Stone Bridge, in the parish of Hampton-in-Arden, in the County of Warwick, and from Castle Bromwich to Birmingham, in the same county; so far as the said acts relate to the roads leading from a place called the Welch Harp, in the township of Stonnel, in the said county of Stafford, to Stone Bridge, and from Castle Bromwich to Birmingham, being the fourth district of roads in the said acts mentioned.

An act to enlarge the term, and to amend, alter, and vary, the powers of an act passed in the thirty-seventh year of the reign of his present Majesty, intituled, "An act to continue the term, and alter and enlarge the powers of an act of the eleventh year of his present Majesty, for more effectually repairing and amending the roads from Liverpool to Prescot, Ashton, and Warrington, and other roads therein mentioned, in the county Palatine of Lancaster," and to vary certain parts of the line of the said roads.

An act for widening, altering, improving, and repairing the road leading from Alfreton, in the county of Derby, to the town of Derby.

An act for exchanging the settled estate of Sir George Beeston Prescott, Baronet, in the county of Chester, for another estate of greater value in the county of Flint, to be settled in lieu thereof.

An act to enable the high court of Chancery to authorise and empower the devisees in trust under the will of the late John Glover, late of King's Street, in the parish of St. George, in the county of Middlesex, gentleman, to grant a lease for the term of 99 years of the messuage or tenement therein mentioned, being part of the estate devised by the said will, pursuant to an agreement therein recited, or for such shorter term of years, and upon such other conditions, as to the said court shall seem reasonable.

JUNE 12, 1802.

An act to authorise the licensing an additional number of hackney coaches.

An act to enable the Lord High Treasurer or Commissioners of his Majesty's Treasury of Ireland, for the time being, to sell, lease, convey, or dispose of, the parliament house in the city of Dublin, and all the premises and appurtenances thereunto belonging, to the Governor and Company of the Bank of Ireland.

An act to amend, and render more effectual, two acts, passed in the twenty-sixth and thirty-second years of the reign of his present Majesty, for the reduction of the national debt.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

An act for amending so much of an act passed in the seventh year of the reign of his present Majesty as relates to the secreting, embezzling, or destroying, any letter or packet sent by the post, and for the better protection of such letters or packets, and for more effectually preventing letters and packets being sent otherwise than by the post.

An act to enable his Majesty to avail himself of the offers of certain yeomanry and volunteer corps to continue their services.

An act to revive, and further continue until the 25th day of March, 1803, and amend so much of an act made in the thirty-ninth and fortieth years of the reign of his present Majesty, as grants certain allowances to Adjutants and Serjeant Majors of Militia disembodied under an act of the same session of Parliament.

An act to enable his Majesty to accept and continue the service of certain troops or companies of yeomanry in Ireland.

An act for making allowances until the 25th day of March, 1803, in certain cases, to subaltern officers of the militia of Ireland, during peace.

An act to authorise the sending and receiving of letters and packets, votes, proceedings in Parliament, and printed newspapers, by the post, free from the duties on postage, by the members of the two Houses of Parliament of the United Kingdom, and by certain public officers therein named, and for reducing the postage on such votes, proceedings, and newspapers, when sent by any other persons.

An act to enable such officers, mariners, and soldiers, as have been in the land or sea service, or in the marines, or in the militia, or any corps of fencible men, since the twenty-fourth year of his present Majesty's reign, to exercise trades.

An act for directing certain public accounts to be laid annually before Parliament, and for discontinuing certain other forms of account now in use.

An act to amend the laws for the better regulation of the linen manufacture in Ireland.

An act for repealing several acts made in the thirty-fifth, thirty-sixth, thirty-ninth, and fortieth years of the reign of his present Majesty, relating to the admission of certain articles on merchandize in neutral ships, and to the issuing of orders in council for that purpose, and for making other provisions in lieu thereof, to continue until the first day of January, 1804.

An act to continue until the twenty-ninth day of September, 1803, an act made in the Parliament of Ireland in the thirty-seventh year of the reign of his present Majesty, for regulating the import, export, and sale of coffee, and securing the duties payable thereon; and also for securing the duties payable on licences to persons in Ireland not being maltsters, or makers of malt, selling malt by commission, or otherwise.

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An act for repealing an act made in the thirty-eighth year of the reign of his present Majesty, intituled, "An act for raising a body of miners in the counties of Cornwall and Devon, for the defence of the kingdom during the present war," and for the more effectually raising and regulating a body of miners for the defence of Great Britain.

An act for the further regulation of the trials of controverted elections, or returns of members to serve in parliament, and for expediting the proceedings relating thereto.

An act for the trying and punishing in Great Britain, persons holding public employments, for offences committed abroad, and for extending the provisions of an act passed in the twenty-first year of the reign of king James, made for the ease of justices, and others, in pleading in suits brought against them, to all persons either in or out of this kingdom, authorized to commit to safe custody.

An act to alter, amend, and render more effectual, an act made in the twenty-fourth year of the reign of his present Majesty, for the more effectual prevention of smuggling in Great Britain.

An act to revive and continue, until the 5th day of April, 1804, and to amend several acts passed in the twenty-seventh, thirty-fifth, and thirty-ninth years of his present Majesty's reign, for the more effectual encouragement of the British fisheries, and to continue, until the 14th day of June, 1803, and from thence to the end of the then next session of Parliament, so much of an act of the sixth year of the reign of his present Majesty, as relates to the prohibiting the importation of foreign wrought silks and velvets.

An act to permit British-built ships to carry on the fisheries in the Pacific Ocean without licence from the East India Company, or South Sea Company.

An act to continue, until the 8th day of April, 1803, an act passed in the last session of Parliament, for staying proceedings in actions under the statute of King Henry the Eighth, for abridging spiritual persons from having pluralities of livings, and of taking of farms; and also to stay proceedings in actions under an act of the thirteenth year of Queen Elizabeth, touching leases of benefices, and other ecclesiastical livings with cure.

An act for vesting certain lands and hereditaments in trustees, for promoting the service of his Majesty's ordnance at Woolwich.

An act for repealing two acts made in the thirty-second and thirty-sixth years of the reign of his present Majesty, for the more effectual administration of the office of a justice of the peace, in such parts of the counties of Middlesex and Surrey as lie in or near the metropolis, and for the more effectual prevention of felonies, and for making other provisions in lieu thereof, and for increasing the salaries of the justices at the Thames Police-office, until the first day of June, one thousand eight hundred and seven, and from thence to the end of the then next session of Parliament.

An act for the preservation of the health and morals of apprentices and others employed in cotton and other mills, and cotton and other factories.

An act to amend an act made in the twenty-second year of the reign of his present Majesty, for the better relief and employment of the poor, so far as relates to the payment of the debts incurred for building any poor-house.

An act to extend the provisions of an act made in the thirteenth year of the reign of his present Majesty, intituled, "An act for repealing so much of an act made in the twenty-third year of his late Majesty King George the Second, as relates to the preventing the stealing or destroying of, turnips,

"turnips, and for the more effectually preventing the stealing or destroying of turnips, potatoes, cabbages, parsnips, peas, and carrots," as certain other field crops, and to orchards, and for amending the said act.

An act for repealing so much of an act made in the second year of the reign of his present Majesty, intituled, "An act for the better supplying the cities of London and Westminster with fish, and to reduce the price thereof, and to protect and encourage fishermen," as limits the number of fish to be sold by wholesale within the said city of London, and for the better regulation of the sale of fish by wholesale in the market of Billingsgate, within the said city.

An act to remove doubts as to certain acts relating to the admeasurement of coals in the city and liberty of Westminster, and parts adjacent, and to revive and continue an act passed in the twenty-sixth year of the reign of his present Majesty, relating to the admeasurement of coals within the limits aforesaid, and to indemnify all persons who have acted in pursuance of any of the provisions of the said act.

An act for altering and amending an act passed in the thirty-first year of the reign of his present Majesty, intituled, "An act for widening, improving, regulating, paving, cleansing, and lighting the streets, lanes, and other public passages and places within the King's town of Maidstone, in the county of Kent; for removing and preventing encroachments, obstructions, nuisances, and annoyances therein; for better supplying the said town with water, and for repairing the highways within the parish of Maidstone," and for raising a further sum of money for completing the purposes of the said act.

An act for amending an act passed in the fourteenth year of the reign of his present Majesty, intituled, "An act for making and establishing public quays, or wharfs, at Kingston upon Hull, for the better securing his Majesty's revenues of customs, and for the benefit of commerce, in the port of Kingston upon Hull, for making a basin or dock, with reservoirs, sluices, roads, and other works, for the accommodation of vessels using the said port, and for appropriating certain lands belonging to his Majesty, and for applying certain sums of money out of his Majesty's customs at the said port for those purposes, and for establishing other necessary regulations within the town and port of Kingston upon Hull;" and also for making additional basins or docks at Kingston upon Hull, with an entrance into the same from the river Humber, and for granting certain lands belonging to his Majesty in aid of the said works.

An act for amending, altering, and extending the powers of the several acts of Parliament now in force, for supplying the city of Dublin with water, and for making better provision for that purpose.

An act for vesting divers estates in the parishes of Bradford and Calverley, in the West Riding of the county of York, purchased for the benefit of the proprietors of the Bradford canal navigation, in trustees, upon certain trusts discharged from all claims of the crown in respect of any forfeiture incurred under, or by virtue of, the laws or statutes of mortmain.

An act for repealing an act passed in the thirty-second year of his present Majesty's reign, for improving the navigation of the river Medway, from the town of Maidstone, through the several parishes of Maidstone, Boxley, Allington, and Aylesford, in the county of Kent, and for the better and more effectually improving the navigation of the said river.

An act for securing the glebe of the parish of the barony of Glasgow, in the county of Lanark.

An act for dividing, inclosing, draining, and preserving the open fields, half years meadow land, common pastures, moors, and waste lands, within the parish of Saxelby, in the county of Lincoln, and townships of Harby and Broadholm, in the county of Nottingham.

An act to empower the mayor, aldermen, and common councilmen of the borough of Boston, in the county of Lincoln, to take down the bridge over the river Whitham, in the said borough, and to erect a bridge over some other part of the said river, within the said borough, and to open and make proper avenues, ways, and passages thereto, and to enlarge and improve the gaol and house of correction within the said borough, and to purchase and take down several houses for the purposes aforesaid.

An act for making and repairing the road from Causeway Head, near Seaford, through the county of Clackmannan, by the foot of the Ochil Hills, and by West Saline and Crossford, towards Queensferry, and certain roads branching out of the same, and for converting the statute labour in the said county of Clackmannan.

An act for continuing the term, and altering and enlarging the powers of several acts passed in the thirty-second year of the reign of his late Majesty King George the Second, and in the third and eighteenth years of the reign of his present Majesty, for repairing, widening, and amending the roads leading from the town of Uttoxeter to the town of Newcastle under Lyne, and from Cliffe Bank to Snape Marsh, and also from Lower Lane to Hem Heath, all in the county of Stafford.

An act for continuing the term, and altering and enlarging the powers of an act passed in the thirty-third year of the reign of his present Majesty, intituled, "An act for repairing and widening the road from the Moot-hall, in Wirksworth, to the turnpike-road leading from Derby to Brassington, at or near to a place called The Cross in the Hand, on Hultand Ward, and also the road from the said Moot-hall to another turnpike-road, leading from the cross-post, on Wirksworth-moor, to Marlock-bath, at or near to a place called the Steeple House, in the township of Wirksworth aforesaid, all in the county of Derby."

An act to continue the term, and alter and enlarge the powers of several acts heretofore passed, for repairing the road from Dunchurch to Stone-bridge in the county of Warwick.

An act for making and maintaining, and for watching, lighting, and watering a road from the West India docks, in the Isle of Dogs, to communicate with a street called Church-lane, or Church-street, Whitechapel, and for making and maintaining a branch of road therefrom, to communicate with Queen-street, in the parish of St. Anne, all in the county of Middlesex; for opening, widening, and improving certain streets and passages therein mentioned, and for more effectually amending and keeping in repair a road from Ratcliffe Highway, through Canon-street, in the county of Middlesex, into the road leading into the county of Essex, and also from the West end of Brook-street into Cable-street, and from Upper Shadwell-street into the back lane, in the said county of Middlesex.

An act for authorising the persons therein named to concur on the part of Peter de Salis, Esq. and other persons entitled under the settlement executed by Jerome de Salis, Esq. and Mary his wife, and the will of the said Mary de Salis, in making a partition of certain estates, late of the Right Honourable Susannah Viscountess Fane, situate in the counties of Armagh, Limerick, and Tipperary, in that part of the United Kingdom of Great Britain and Ireland called Ireland.

An act for vesting certain trust estates, stocks, funds, and securities, of

which John Beardsworth, Esq. and Thomas Williams, Esq. were trustees, in James Palmer Hobbs, Esq. and George Borley, Gent.

An act to enable John Skynner, Esq. and Bigoe Charles Williams, Gent. on behalf of John Perry and James Perry, infants, who are entitled to undivided shares in certain copyhold messuages, lands, and hereditaments, situate within the manor of Tottenham, otherwise Tottenham, in the parish of Saint Pancras, in the county of Middlesex, late the estate of Catharine Whitehead, deceased, to concur with the owners of the several other undivided shares of the same copyhold hereditaments, in making a partition and division thereof, and to enable the said John Skynner and Bigoe Charles Williams to sell or mortgage a competent part of the shares of the said infants therein, and to apply the money arising thereby, under the direction of the Court of Chancery, for the maintenance and advancement of the said infants, to make such surrender of their shares as may be necessary.

An act for exonerating and discharging parcels of the possessions of the Prebendary of the Prebend of Poles, otherwise Pipa Minor, founded in the Cathedral Church of Litchfield in county of Stafford, and from a certain lease made thereof; and for authorising the sale of the mines and minerals within the premises comprised in such lease, and for other purposes.

An act for vesting part of the estates devised by the will of John Paul, Esq. situate in the county of Wilts, in John Paul Paul, Esq. in fee simple, discharged from the uses and trusts of the said will, in exchange for an estate in the county of Gloucester; and for vesting the residue of the said devised estates, in the county of Wilts, in trustees, to be sold, and for applying the monies to arise by such sale, under the direction of the Court of Chancery, in the purchase of other estates, to be settled in lieu thereof, and to the same uses.

An act for dividing, allotting, and inclosing the open and common fields, common pastures, and other commonable lands and waste grounds, within the several townships or hamlets of Sewerby and Marton, and within the manor of Sewerby cum Marton, in the parish of Bridlington, in the East Riding of the county of York.

An act for dividing, allotting, and inclosing the open arable fields, meadows, pastures, ings, carr, common and waste lands and grounds, within the township of Flixton, otherwise Fleeceton, in the parish of Folkton, in the East Riding of the county of York.

An act for altering, amending, and rendering more effectual, an act passed in the last session of Parliament, intituled, "An act for dividing and allotting a certain fen, called Wildmore Fen, in the county of Lincoln;" and for dividing, allotting in severalty, and inclosing, the parochial or general allotments set out, or to be set out, in pursuance of the said act, for compensating for the tithes of such allotments, and for declaring and determining to what parish or parishes the several allotments of the said fen shall belong.

An act for dividing, allotting, and enclosing the common and open fields, common meadows, and other commonable lands and waste grounds, in the parishes of Shitlicktongue and Holwell, in the county of Bedford.

An act for dividing, allotting, and inclosing, the several commons and waste lands within the manor and township of Wirksworth, in the county of Derby; for protecting certain springs situate on the said commons and waste lands, and for the better securing a supply of water for the use of the inhabitants of the town of Wirksworth, in the said county.

JUNE 26, 1802.

An act for raising the sum of five millions, by loans or Exchequer bills, for the service of Great Britain for the year 1803.

An act for raising the sum of 1,500,000*l.* by loans or Exchequer bills, for the service of Great Britain for the year 1803.

An act for granting to his Majesty the sum of 200,000*l.* to be issued and paid to the Governor and Company of the Bank of England, to be by them placed to the account of the Commissioners for the reduction of the national debt of Great Britain.

An act for settling and securing a certain annuity on Lord Hutchinson, Baron Hutchinson of Alexandria, and of Knocklofty, in the county of Tipperary, and the two next persons to whom the title of Baron Hutchinson shall descend, in consideration of his eminent services.

An act for repealing certain duties on paper, pasteboards, millboards, scaleboards, and glazed paper, imported into, or made in Great Britain; and for granting other duties in lieu thereof.

An act for providing a proper salary for the office of the Chancellor or Keeper of the Great Seal in Ireland.

An act for repealing the duties granted by an act made in this session of Parliament on spermaceti oil, blubber, train oil, fish oil, or oil of seals, and granting other duties in lieu thereof; for repealing the duties granted by the said act on linen yarn made of flax, and on goods, wares, or merchandize imported by the East India Company, and exported from the warehouse in which the same shall have been secured; for exempting stone, the produce of Guernsey, Jersey, Alderney, Sark, or Man, from duty; and for permitting merchandize, the produce of any of the colonies ceded to the French and Batavian Republics, to be imported for three years from the passing of this act, upon payment of certain duties.

An act for allowing the stamping certain deeds until the 31st of December, 1802; for amending an act passed in the thirty-sixth year of the reign of his present Majesty, relating to duties on legacies and shares of personal estates; for exempting certain legacies from the payment of duty; for reducing the allowance on present payment of stamp duties, and for reducing certain stamp duties on policies for sea insurances.

An act for exempting from the auction duty estates and effects bought in for the owner, and goods imported in any British ship from any British colony in America, or from any part of the united States; for better collecting and securing the duties of excise on wine, home-made spirits, starch; auctions, rum shipped as stores, and on goods or merchandize chargeable with duties of excise; for granting a further allowance of salt in the curing and preserving of pilchards and leads; and for allowing certain draining tiles to be made free of duty.

An act for enlarging the time for which horses may be let to hire without being subject to any annual duty; for explaining and amending several acts relating to the duties on horses, servants, and carriages; and for authorising the allowance in the accounts of the Receivers' General, of the several sums advanced by them, in pursuance of the acts for raising a provisional force of cavalry, and not reimbursed to them by assessment.

An act to repeal the additional duty of 6*l.* per centum on the duties payable on the importation into Ireland of certain goods imported by retailers or consumers; and for repealing and reducing certain duties on policies of insurance, and sea insurances in Ireland.

An act to authorise the Commissioners of Excise to order the restoration of exciseable goods seized or detained by officers of excise.

An act for the regulation of his Majesty's royal marine forces while on shore.

An act for amending the laws relating to the militia in England, and for augmenting the militia.

An act to raise and establish a militia force in Scotland.

An act for consolidating the provisions of the several acts, passed for the redemption and sale of the land-tax, into one act, and for making further provision for the redemption and sale thereof, and for removing doubts respecting the right of persons claiming to vote, at elections, for Knights of the Shire, and other members, to serve in Parliament, in respect of messuages, lands, or tenements; the land-tax upon which shall have been redeemed or purchased.

An act to require persons licensed to keep lottery-offices in Ireland, to divide into shares a certain number of whole lottery tickets, and for empowering the Lords Commissioners of his Majesty's Treasury of Great Britain, to remit to the exchequer of Ireland a certain sum of money out of the contributions for lotteries.

An act for regulating the trial of controverted elections, or returns of members to serve in the United Parliament for Ireland.

An act for repealing several acts for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases, and for substituting other provisions in lieu thereof.

An act for repealing the rates and duties of postage upon letters to and from France and the Batavian Republic, from and to London, and for granting other rates and duties in lieu thereof; and for exempting from the duty of tonnage the ships and vessels to be employed in conveying the mails of letters from France to the United Kingdom of Great Britain and Ireland.

An act to authorize the Lord High Treasurer or Commissioners of the Treasury in Great Britain, and the Lord High Treasurer or Commissioners of the Treasury in Ireland; to order the use of the hydrometers, now employed in the management of the revenues, to be discontinued, and other instruments to be used instead thereof.

An act for enabling his Majesty to permit the importation and exportation of certain goods and commodities into, and from, the port of Road Harbour, in the Island of Tontola, until the 1st day of July, 1803, and from thence until six weeks after the commencement of the then next session of Parliament.

An act for authorising, and rendering valid, the discharge of certain militia men in Ireland, and for giving indemnity to the several counties and places in Ire and which may incur any expence in consequence of the discharge of certain militia men.

An act to continue, until the 5th day of July, 1803, two acts, made in the thirty-eighth year of the reign of his present Majesty, and in the 1st session of Parliament, for the further encouragement of the trade and manufactures of the Isle of Man, and for improving the revenue thereof.

An act more effectually to prevent the stealing of deer.

An act for increasing the rates of subsistence to be paid to inn-keepers and others on quartering soldiers.

An act to alter and amend an act, passed in the thirty-ninth year of his present Majesty's reign, intituled, "An act for rendering more commodious, and for better regulating the port of London," so far as the same relates to the concerns of the West-India Dock Company thereby established,

and

and for extending to other objects the compensations directed to be made, by the said act.

An act for extending the provisions of two acts of the thirty-fifth and 38th years of his present Majesty, so far as they relate to, the encouragement of persons coming to Milford Haven for the purpose of carrying on the Southern whale fishery.

An act for building and maintaining a harbour and pier at the town, and in the parish, of Thurso, in the county of Caithness.

An act for making and maintaining a navigable canal from the Boat Pool of Dalry, in the Glenkenna, to the port and town of Kircudbright, in the stewartry of Kircudbright.

An act for making and maintaining certain railways to communicate with the Monmouth Canal Navigation, and for enabling the Company of Proprietors of that Navigation to raise a further sum of money to complete their undertaking; and for explaining and amending the acts passed in the thirty-second and thirty-seventh years of his present Majesty's reign relating thereto.

An act for explaining, amending, and rendering more effectual, several acts of the sixteenth and seventeenth years of the reign of King Charles the Second, and of the seventh and thirty-fifth years of the reign of his present Majesty, relating to the navigation of the River Itchen, in the county of Southampton.

An act for altering and enlarging the powers of an act, passed in the seventh year of the reign of his present Majesty, intituled, "An act for the more effectual draining the lands lying in the level of Ancholme, in the county of Lincoln, and making the River Ancholme navigable from the River Humber, at or near a place called Ferraby Sluice, in the county of Lincoln, to the town of Glamford Briggs, and for continuing the said navigation up or near to the said river, from thence to Bishop Briggs, in the said county of Lincoln."

An act for the more effectually amending, widening, improving, and keeping in repair the road from the turnpike road at Buckton Burn, in the county of Durham, through Berwick-upon-Tweed, to Lammerton Hill; and also several other roads therein mentioned, lying in the said county, and within the liberties of the said town of Berwick; and also for erecting two bridges over the River Tweed, and for making two roads from the said bridges to the road leading from Berwick aforesaid to Cornhill, in the said county of Durham.

An act for vesting divers freehold and leasehold messuages, pieces, or parcels of ground, and hereditaments, situate in several parishes in the county of Middlesex, heretofore the estates of Thomas Taylor, Esq. the father, and Thomas Taylor, Esq. the son, both deceased; and several leasehold messuages in the same county, heretofore the estate of Sarah Otway, widow, deceased, in trustees, to be sold under the direction of the High Court of Chancery, and for applying the purchase money according to the directions of the said Court, such directions to be given upon application, in a summary way.

An act for dividing, allotting, and enclosing the open arable fields, meadows, commons, and other commonable and waste lands, within the parish of Coningsby, otherwise Conesby, in the county of Lincoln.

JUNE 28, 1802.

An act for granting to his Majesty certain sums of money out of the respective consolidated funds of Great Britain and Ireland; for applying certain

certain monies therein mentioned, for the service of the year 1802; and for further appropriating the supplies granted in this session of Parliament.

An act for granting to his Majesty certain additional duties on goods imported into, and exported from, Ireland.

An act for defraying the charge of the pay of the militia in Ireland, until the 25th day of March, 1803; and for holding courts martial on serjeant-majors, serjeants, corporals, and drummers, for offences committed during the time such militia shall not be embodied.

An act to suppress certain games and lotteries not authorized by law.

END OF VOL. III. 1801-2.

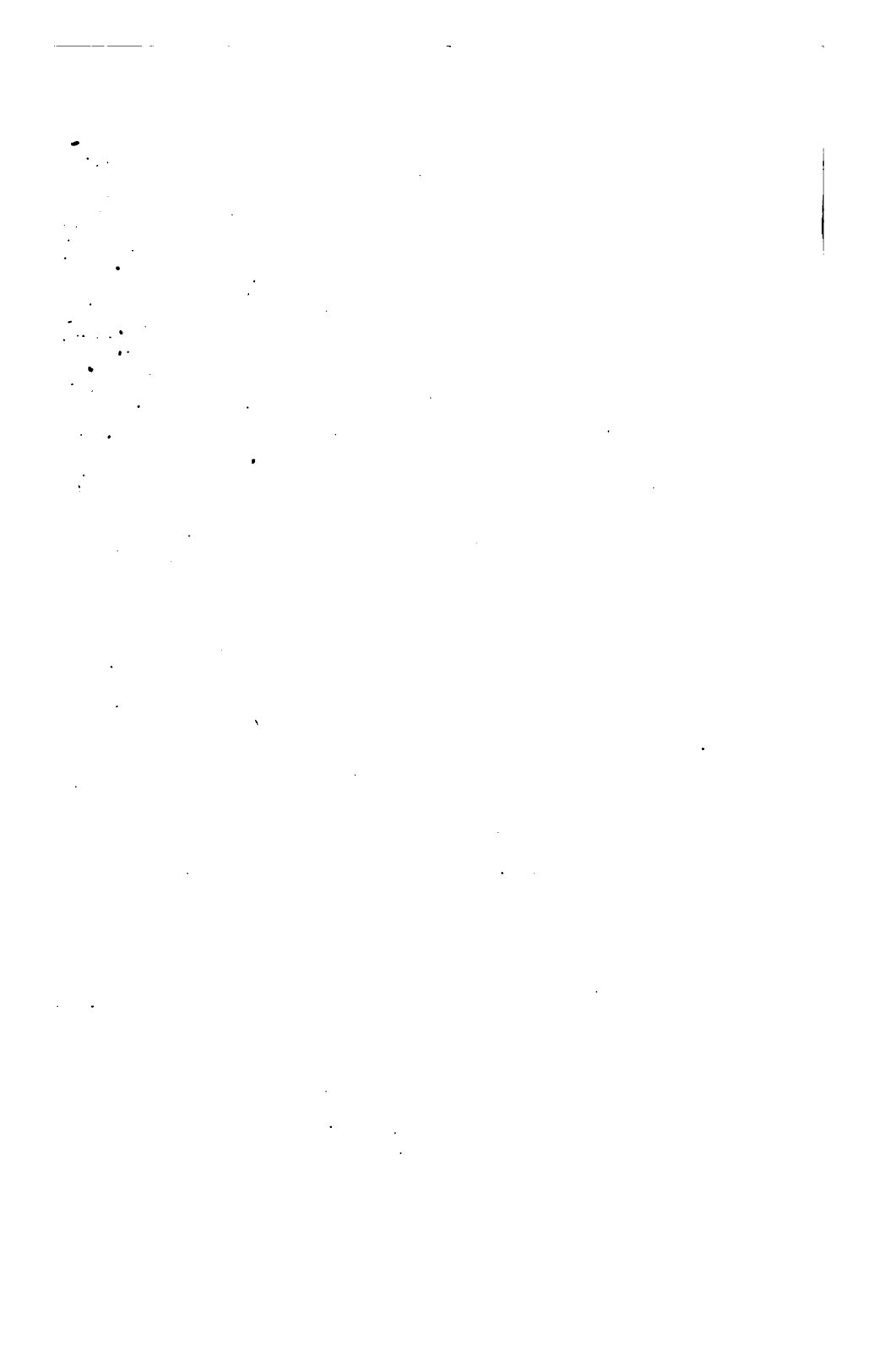
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